

AFTER THE DERG: AN ASSESSMENT OF RURAL LAND TENURE ISSUES IN ETHIOPIA

by

John W. Bruce

Land Tenure Center, University of Wisconsin-Madison

Allan Hoben

African Studies Center, Boston University

Dessalegn Rahmato

Institute of Development Research, Addis Ababa University

A collaborative project of the Land Tenure Center, University of Wisconsin-Madison, and the Institute of Development Research, Addis Ababa University, funded by the Ford Foundation.

March 1994

AN ARSSI PEASANT'S REFLECTIONS

Before the Derg we were servants.

The Derg gave us land, but took away our children.

When the cooperative came we did not have rest or the right to market our crops.

Today is good. Everyone has his own land and can market his own crops.

Our only problem now is that there is not enough land.

TABLE OF CONTENTS

	<u>Page</u>
List of boxes	vii
List of acronyms	ix
Preface	xi
Executive summary	xiii
 1. Background and context	 1
1.1 Prerevolutionary land tenure	1
1.2 Agrarian reform	2
1.3 Rural institutions	6
1.3.1 Peasant associations	6
1.3.2 Producers cooperatives	7
1.3.3 Service cooperatives	7
1.3.4 Current situation of rural institutions	8
1.4 Postrevolutionary land tenure policy	9
 2. Current situation	 11
2.1 Smallholder agriculture	11
2.1.1 Role of smallholder agriculture	11
2.1.2 Access to agricultural land	12
2.1.3 Transactions and strategies	19
2.1.4 Redistribution by the TPLF and EPRDF: pressures and prospects	22
2.1.5 Fragmentation and subdivision	28
2.1.6 Security of tenure and investment	30
2.2 Other production contexts	32
2.2.1 Land endowments	32
2.2.2 Large-scale commercial agriculture and access to land	32
2.2.3 State farms	36
2.2.4 Community forestry	37
2.2.5 Community pasture	38
2.2.6 Pastoralist land tenure	39
2.3 Making land policy and administering land	42
2.3.1 Current situation	42
2.3.2 Leadership and decentralization	44
2.3.3 Land registration and taxation	46

3.	Policymaking and policy research	49
3.1	Attitudes, models, and roles	49
3.1.1	National level	49
3.1.2	Regional level	52
3.1.3	Local level	52
3.2	Tenure options for farmland	55
3.2.1	Private ownership	57
3.2.2	State leasehold	59
3.2.3	Limited ownership	60
3.2.4	Choosing an option	61
3.3	Common-property and natural-resource management	63
3.4	A Land tenure issues network	64
3.5	Next steps	67
3.5.1	Major policy seminar on rural land tenure	67
3.5.2	Urgent short-term studies	67
3.5.3	Seminar and RRA training on tenure and natural resource management	68
3.5.4	Longer-term research priorities	69
Appendix 1	Africa's experience with tenure reform: 1960-1993	71
1.1	Individualization reforms	72
1.2	State leasehold reforms	73
1.3	Collectivization and state farm reforms	73
1.4	Decentralization reforms	74
1.5	From replacement to adaptation	75
1.6	The other tenure reform: Common-property resources	76
Appendix 2	People interviewed	77
References		81

LIST OF BOXES

		<u>Page</u>
Box 1	Return to prerevolutionary social institutions for settling disputes	13
Box 2	Returning Derg soldiers in Wollaita	18
Box 3	A contract farmer in Arssi	22
Box 4	Access to land in an Arssi Peasant Association	26
Box 5	Access to land in Bulado	27
Box 6	Monks' land at Debra Benkual	33
Box 7	Land for investors in Arssi	34
Box 8	Commercial farming in Humera	35
Box 9	Land enclosures in pastoral areas of the Ogaden	41
Box 10	On the ownership of land	43
Box 11	Land tenure and incentives for production and investment in Eastern Gojjam: a peasant debate	54

LIST OF ACRONYMS

AMC	Agricultural Marketing Corporation
CIDA	Canadian International Development Agency
CSA	Central Statistical Authority
EC	Ethiopian calendar
EDU	Ethiopian Democratic Union
ENI	Ethiopian Nutrition Institute
EPRDF	Ethiopian People's Revolutionary Democratic Front
EPRP	Ethiopian People's Revolutionary Party
FAO	Food and Agricultural Organization
IAR	Institute for Agricultural Research
IDR	Institute for Development Research
ILCA	International Livestock Centre for Africa
GDP	gross domestic product
GPS	global positioning system
LTC	Land Tenure Center
LUPRD	Land Use Planning and Regulation Department
MNRDEP	Ministry of Natural Resources, Development, and Environmental Protection
MOA	Ministry of Agriculture
MSFD	Ministry of State Farms Development
OLF	Oromo Liberation Front
OPDO	Oromo People's Democratic Organization
PA	peasant association (also <i>kebelle</i>)
PC	peasant cooperative
PRA	participatory rural appraisal
PSC	Peace and Stability Committee
RRA	rapid rural appraisal
SC	service cooperative
TGE	Transitional Government of Ethiopia
TPLF	Tigray People's Liberation Front
USAID	US Agency for International Development

PREFACE

Ethiopia's transitional government has postponed difficult and critical decisions on land tenure policy until elections provide a mandate for those decisions, thereby creating an opportunity to foster discussion and research that will inform policy decisions. The need for this discussion and research exists because Ethiopia faces thorny land-tenure policy issues that have important implications for equity, growth, environment, and political stability. There is a danger that if a process of learning and policy dialogue on land tenure issues is not started soon, Ethiopia, like a number of other African nations, will adopt "ready made" land-tenure reforms that are based on ideological considerations and misconceptions about current problems. At best, such policies will be appropriate for only some of the nation's complex and diverse local land-tenure situations.

This report represents one step in an ongoing, flexible effort to generate better information about current land tenure issues in Ethiopia and stimulate a process that will involve policymakers, farmers, and Ethiopian researchers in continuing discussions on land policy. It presents the results of an assessment of land tenure issues undertaken in March and April 1993 by researchers from the Addis Ababa University Institute of Development Research, the Boston University African Studies Center, and the University of Wisconsin-Madison Land Tenure Center, in cooperation with officials from the Land Use Planning and Regulatory Department (LUPRD) of the Ministry of Natural Resources. The report is intended to raise and illuminate critical land policy issues, not to resolve them. In this sense, it represents the beginning rather than the end of a process. A draft of the report was discussed at a workshop held at the International Livestock Center for Africa (ILCA) in Addis Ababa on 27-29 August 1993. We have tried to take account of suggestions made at the workshop in revising the report. Proposed next steps in the effort to inform policy dialogue are discussed in the last section.

Because our primary objective was to get a sense of the range of issues facing rural people and administrators in different regions, we tried to collect case studies on particular individuals, households, and communities. We hoped that this would help us to appreciate the perspective of the men and women we interviewed, and to appreciate how the processes through which they sought access to land were shaped by class, age, and gender, as well as by the specific social, economic, and political context in which they lived. Information in the report has been drawn from published sources, fugitive documents, and interviews with researchers who have carried out rural fieldwork since the transition in May 1991, as well as from our own observations.

During our field visits our approach was based on open-ended interviews rather than questionnaires, and was qualitative rather than quantitative, though we attempted to quantify problems such as landlessness as best we could. While this rapid case-study approach is no substitute for more structured local appraisal (PRA), longer-term in-depth study, and sample surveys, we believe it is a useful first step to these more time-consuming forms of investigation.

The criteria for site selection were: cultural-historical and agroecological diversity, crosscut to the extent possible by degree of integration into the cash economy, which for the most part correlated with transport costs from roads and towns. We also made a deliberate effort to revisit sites where each of us had conducted earlier research—for two of us, before the revolution and land

reform. Finally, our selection was severely constrained by time and logistics. With these criteria in mind, Bruce and Legesse Yihidago of LUPRD visited officials and peasant communities in the *woredas* of Amba Alagie, Kilte Belesa, and Tach Maichew in Tigray. Hoben visited communities in Dega Damot, Bechena, Debre Work, Gindeweyn; Mota *woredas* in Gojjam, Sagure, Assessa, Dodota, Hurruta; Digelu *woredas* in Arssi (Gizachew Abegaz of LUPRD participated); and Goma *woreda* (around Agaro) in Illubabor. Dessalegn visited the *woredas* of Bolosso and Damit Gale in Wollaita. Within the communities visited we made an effort to visit homesteads with different characteristics in terms of wealth, age, and, where relevant, ethnicity or religion. Given the constraints under which we worked, we were only partially successful in this effort. Few interviews were held with women; indeed, gender issues on land tenure urgently require special study. There are many other gaps in our coverage. Perhaps the most serious are pastoralists, peri-urban areas, and highly commercialized regions. In the last section of the report we recommend that further studies on these topics be undertaken as soon as possible.

In analyzing our material we have been guided by our knowledge of the literature on Ethiopian land tenure, the comparative studies of tenure, and the methodology of "triangulation," that is, trying to obtain and use information from as many different sources and perspectives as possible to illuminate the same issue. In this way we tried to take account of methodological and ideological biases and to crosscheck information for consistency and reliability.

We are grateful to the Ford Foundation, and to Charles Bailey and Eric Rusten in particular, for their financial and moral support, and to the staffs of the Institute for Development Research, the Land Tenure Center, and CIDA for their time and logistical support. We also appreciate the interest and encouragement of the Food and Agriculture Organization, the US Agency for International Development, and the World Bank. Thanks are due to many experts and officials in Addis Ababa and in the regions and *woredas* visited, and to the farmers who gave us their time and answered our questions. In Wollaita, thanks are also due to REDD BARNA-ETHIOPIA in Bolosso and OXFAM-UK in Damot Gale for their cooperation and assistance. A full listing of those consulted is found in appendix 2.

EXECUTIVE SUMMARY

1. BACKGROUND AND CONTEXT

Prior to the 1974 revolution, Ethiopia's land tenure systems were grounded in historically shaped, local institutions. Land tenure systems varied greatly across regions, with a broad contrast between the old northern highlands, the more recently incorporated areas in the south and west, and the areas in the eastern and western periphery of the country. In the north, most peasants enjoyed land use rights by virtue of inheritance or residence in a local community. In the southern core areas, by contrast, a majority of farming households worked as sharecropping tenants of a landlord class composed of northerners and local notables. In the more peripheral areas of the empire, tribal groups continued to use land and pasture under indigenous arrangements.

The 1975 land reform nationalized all land. In an initial phase lasting until 1978, it had a land-to-the-tiller character, but between 1978 and 1990, it increasingly stressed villagization and collectivization of production. The land reform abolished large-scale and absentee landlordism and the exploitation of the peasantry by the landed classes. But repeated redistributions of land created insecurity, and the reform was accompanied by the imposition of state marketing quotas, villagization, cooperativization, and a heavy tax burden. The key institutions in the new system were the peasant associations (PAs), which were the basic unit of local land administration, producer cooperatives (PCs), and service cooperatives (SCs).

2. CURRENT SITUATION

2.1 SMALLHOLDER AGRICULTURE

Smallholder agriculture constitutes the backbone of the agrarian economy. With some limited exceptions, gains in smallholder access to land have largely been maintained. However, the terms and conditions of access to land by women is poorly documented and inadequately understood. Access to land by occupational, religious, and ethnic minorities is at risk in the context of regionalization and needs to be carefully monitored.

While land redistributions have been suspended by government and have in fact come to a halt, some **dislocations** have been required by attempts to provide land for demobilized soldiers and refugees in their home areas. There is some reclaiming of former plots as most, though not all, villagized households move back to their homes. The land of former PCs has been divided among peasant households, and some land from state farms has been turned over to peasants.

Transactions have emerged in varied forms. There has been a major resurgence of sharecropping tenancies, a positive development which is allowing labor- and capital-poor households to get their lands farmed by other better-endowed households. Any analysis of the structure of agriculture must take account of the fact that operated holdings are diverging significantly from owned holdings. Cash rental and other contractual arrangements involving cash and tractor service were found in more commercially developed areas of the south. Land sales are occurring surreptitiously in many areas, though reports on frequency are not reliable.

While the repeated **redistributions under the Derg** created insecurity and were resented by the peasants, pressures for redistribution are building. This is caused in part by the return of soldiers and refugees, but also by the difficulty and delays that new households are having with obtaining access to land in communities where there is no unallocated arable land. There is a fundamental contradiction here between the demand from those not yet accommodated for a final, "fair" redistribution and the predictable arrival of yet further claimants. Any solution must involve a mechanism for absorbing such new claimants, especially new couples, or a radical departure from the assumption that all households have the same right to receive land.

Historically, there have been concerns about whether the fact that many households' landholdings were divided into several separate parcels led to inefficient use of human labor and scarce capital items such as oxen. The Derg-era reforms reduced the level of **fragmentation of holdings**, but it may have increased subsequently. Most rural households now have 3 to 5 parcels of farmland. Fragmentation was not a priority concern of the farmers consulted, and its level is not very high by international standards. A modest level of fragmentation can have a positive side, giving a farmer access to different soils and even microclimates at different altitudes. The rental market in land is likely affecting the level of fragmentation, but to what extent is not known and requires study.

Farmers feel insecure in their landholdings, as expected in this transitional period. It is more difficult to know how far that **insecurity of tenure** is affecting investment decisions. There was evidence that tree planting was being concentrated around homesteads, reflecting greater perceived security of tenure in the homestead parcel. Farmer reluctance to invest labor in physical works for soil conservation on the holding are likely due less to tenure insecurity than to concerns about reduction of the area of production by the works. Overall, the relationship between tenure, perceived insecurity of access to particular fields, and investment is important and unclear, and urgently requires in-depth study.

2.2 OTHER PRODUCTION CONTEXTS

The Derg nullified the **land endowments** and taxation rights of both large ecclesiastical institutions and parish churches, but current policy concerning land endowments for churches, schools, and nonprofit organizations is unclear, and needs review and clarification.

While the Transitional Government of Ethiopia (TGE) is committed to promoting **large-scale commercial farming** through private investment in agriculture, there are so far no viable criteria for identifying unutilized land for that purpose or organizations equipped to adequately accommodate investors. Such criteria must be developed with great care, or they will prejudice the interests of seasonal or intermittent users such as pastoralists. Great care is also required to ensure that those seeking land for investment are not simply speculators. One possible source of land will be former state farms, which had a very poor production record under the Derg. Currently, part or all of some farms is being given to peasants or to investors, with the outcome often turning on local political issues and events.

Community forestry under the Derg never surmounted its tenure problem: people will not plant or reliably care for trees when they have no rights to them. However, in the last several years there has been growing enthusiasm for household forestry. This is now being promoted by government but must be reenforced by clarifying rights in trees. Some mountainous areas, it should be realized, are not appropriate for household forestry and will need to be managed either on a larger scale or on a community or corporate basis.

Community pasture probably declined overall during the land reform years due to the pressure for land to accommodate all households. But the impacts seem to have varied greatly from one area to another, and in some areas the peasant association was a strong land administrator, protecting pastures from encroachment. Today, many communities are confronting difficult decisions as to whether to continue to graze livestock on hillside and other marginal areas or to close them for reforestation or natural regeneration. There is a need for a careful reassessment of the need for animal food resources and implications for land use patterns.

Pastoralists suffered land alienations under both the imperial regime and the Derg. While regionalization plans may have positive effects in areas where they are in a majority, such as the Afar region, in other areas their land access is likely to remain under pressure. Information is badly needed as a basis for devising strategies for accommodating competing land uses and also in a continued effort to make central and regional agricultural staff and officials aware of the major rethinking over the last two decades of the technical viability of pastoralist land use.

2.3 MAKING LAND POLICY AND ADMINISTERING LAND

The **transitional economic policy** of TGE noted that there was no consensus in the government on private or state ownership of land, and that this fundamental question, to be postponed for decision until after the next national elections, was to be resolved in a referendum. More recently, in the context of **constitutional discussions**, it has become clear that the fundamental decision about public ownership of land is likely to be made in the constitution itself.

At the moment, the focus of **responsibility for land tenure policy** in government is not clear. Both the Ministry of Agriculture and the Ministry of Natural Resources, Development and Environmental Protection have large stakes in the issue. Each has evidenced some concern with the issue, and there are other ministries as well whose programs are affected by tenure decisions. But no ministry has taken a clear leadership role.

Nor is it clear how **regionalization** will affect land policy. There is considerable sentiment that land policy be a regional matter, but now it appears that the constitution may limit regions to certain options as the basis for household and other private farming. Regionalization of land policy could have important advantages, such as the potential for a better fit of policy to local conditions, but it also poses dangers such as a temptation to economic isolationism.

Land administration is more than tenure policy and implementation, however. It also requires a system of records of rights in land. The capacity for **cadastral survey and registration** must be improved, but great care should be taken in assessing proposals for rapid expansion of the coverage of formal survey and titling systems. The modern, complex systems are in place primarily to support large, impersonal land markets. If such a market is not to be encouraged, then very low-cost, locally managed systems of records of rights should be instituted instead. **Land taxation** can be facilitated by a good system of records of rights in land. Ethiopia's broad-based tax system is a great asset, but the present household tax is flat and regressive, falling as heavily on poor as on wealthy households, and needs consideration.

3. POLICYMAKING AND POLICY RESEARCH

3.1 ATTITUDES, MODELS, AND ROLES

Because land tenure is such a politically loaded topic in Ethiopia, government statements tend to be guarded. Government **officials from the EPRDF and allied parties** tend to see peasants as poor and vulnerable and open to exploitation by other classes. Attitudes toward tenure issues are commonly presented in historical terms, with an overriding concern that the equity gains of the land reform after 1975 not be lost. There is an inclination to cast agricultural development in terms of peasant communities' farming primarily to meet food security objectives while larger-scale farming would respond to opportunities for export and innovation. Paternalism disposes officials to cast the state in the role of owner and trustee of land to allow it to watch over peasant interests.

Economists and Western-oriented economic advisors tend instead to favor private ownership of land, as do most managers and technical experts in the ministries. Even proponents of privatization, however, are deeply concerned about the potential equity impacts of an uncontrolled land market. Businesspeople seem less concerned with privatization of land or with the creation of land markets than economists, probably because they see state allocation as a cheaper way to get access to land than private purchase.

Opinion is divided on the extent of autonomy in land policy and land tenure arrangements to be allowed to the regions. Predictably, stronger feelings in favor of regional autonomy in this area are voiced by **regional government officials**, particularly in Tigray and Oromia.

In **local communities**, there is a deep concern about the resolution of these issues but some fear of discussing preferences openly. Most are positive about the results of the land reforms, though they complain about specific local instances of unfairness. There is no broad demand to return to the prereform situation. Land sales are viewed with suspicion, reflecting experiences in the prereform era.

3.2 TENURE OPTIONS FOR FARMLAND

It is important first to define the **broad objectives** which are to be achieved by the tenure option selected. In general terms, we believe it is important to build upon the positive achievements of the land reform, maintaining smallholder agriculture and avoiding high concentrations of ownership. There is also a need, however, to allow some degree of differentiation in landholdings to develop within the peasant sector. Rather than encouraging a dichotomy between peasant and commercial production, policy should support the efforts of efficient smallholders to get more land. Government should make available mechanisms for land titling, transfer, and mortgaging in peri-urban and heavily commercialized areas on a selective rather than a regional or nationwide basis.

So far as **land administration** is concerned, vesting authority over land in local communities can foster flexible responses to differences in regional and local needs, avoid overtaxing the modest capabilities of national and regional bureaucracies, and minimize the exposure of local communities to corrupt and oppressive practices by officials. Government must, however, maintain the right to protect ethnic minorities, women, and natural resources.

The basic options for tenure in farmland are full private ownership, state leasehold, and limited ownership. There has been substantial experience with different tenure options under African conditions since the 1960s:

Private ownership provides robust rights to individual holders and allows them to participate more fully in the market economy. It secures land against intrusions by government, the primary threat to security of tenure in Africa today. It permits free alienability, which in a situation of well-developed factor markets tends to move land into the hands of more efficient producers. That process increases landlessness and economic differentiation in the peasant sector. The extent of these impacts depends on how effectively government utilizes zoning and other regulatory approaches to moderate them.

The Kenyan experience is the main evidence available on the impacts of conversion to private ownership. Smallholder productivity has been excellent, not due just to the tenure change but to reorientation of services to smallholders. The land market has resulted in some landlessness, and it has not always been the least efficient producers who have been pushed out of agriculture. On the other hand, concerns about major new concentrations of landownership have not materialized to any significant extent.

State leasehold presumes continued state or other public ownership of land. Leasehold is a flexible legal institution and can provide substantial or minimal security of tenure depending upon its terms. It usually requires a costly bureaucracy in which, and because valuable land is most often rented out at little or no cost, corruption tends to flourish. Leases commonly include development or conservation conditions which are rarely enforced for their stated aims but tend to be used by officials to seize coveted land or punish political dissent.

More African countries opted for this approach than any other in the years following independence. After passing new laws, they have usually been unable to put the system in place except in limited areas because of the costs involved in replacing existing tenure arrangements and supporting the large cadre of local land administrators required. Corruption and abuse for political reasons have given rise to a considerable level of tenure insecurity. There is experience from outside Africa suggesting that the system may work better if managed by the local community as owner of the land, as in China.

Limited ownership would vest land as private property but without the full range of rights associated with private ownership. Limitations not compatible with private ownership can be placed on the marketability of land. The tenure and limitations can be spelled out by statute or in deeds from government. It can also exist through recognition of local practice in peasant communities, which in many cases includes strong security of tenure and very restricted alienability.

Tanzania, which like Ethiopia is dealing with an agricultural sector that was changed dramatically by agrarian reform, is considering this approach, which was recommended by a 1992 Presidential Commission of Inquiry into Land Matters. A number of African countries with relatively positive tenure experiences have achieved roughly the same approach through selective recognition of customary rules and land administration institutions.

There is no need to use any one of these tenure options for all land. It is more common for a tenure system to include land owned and directly administered by the state, other land owned by the

state but contracted out to private individuals for management and production, and yet other land for which rights of private ownership are recognized.

For farmland and residential land, we incline toward private ownership, convinced that it offers the best promise of tenure security and the best incentives for investment and increased productivity. We recognize, however, the depth of concerns about the impacts of a land market and acknowledge that those impacts can be unpredictable in the very imperfect market conditions which prevail in Ethiopia. Those impacts can be significantly limited through regulatory approaches.

Leasehold is often proposed as a means by which the state can provide secure tenure to farmers while maintaining ultimate control over land distribution. **While it is theoretically possible to frame an adequate leasehold tenure, the experience with leasehold in other African countries has been that abuse and corruption on the part of land administrators create insecurity of tenure and undermine incentives.** If leasehold tenure is to be used, it could best be employed to make land available to investors, a task of manageable size, rather than for the vast number of peasant holdings.

We believe it would be better to limit the normal content of ownership by restricting transactions rather than to adopt a solution which would require maintenance of state ownership of land and a large land administration bureaucracy. If land is to be publicly owned and allocated, it would be best if it were vested in local peasant associations or their equivalent, with regional and central government cast in the role of appellate authorities charged with ensuring fairness.

3.3 COMMON PROPERTY AND NATURAL RESOURCE MANAGEMENT

Some resources, such as **pasture, forests, and wetlands**, cannot be effectively partitioned for management by households. Ethiopia has had unsatisfactory experiences with top-down programs for such resources. In recent years, considerable strides have been made elsewhere in defining the necessary conditions for successful, genuinely autonomous management of resources as common property. Common property requires clear community control over the resource, the power to exclude others, and clear rights to outputs. It should be considered as an option for such resources.

3.4 A LAND TENURE ISSUES NETWORK

Existing capability in government for design and analysis of policies on land tenure and administration is very thin. There is a need to pinpoint lead responsibility in government and to rebuild capacity for effective work in this area. The lead institution would need to coordinate with the several ministries with legitimate concerns about land tenure and with regional authorities dealing with tenure issues. It should have the capacity to conduct policy studies and be responsible for providing officials and the public with access to the experience of other countries facing similar issues. **There is a need to create a complementary capacity for more in-depth studies in Addis Ababa University and at the Institute for Development Research, and to maintain links to overseas centers of expertise such as the Land Tenure Center.**

3.5 NEXT STEPS

The greatest need is for genuinely open discussion of these issues and for a broadening of the debate. A draft of this paper was discussed at an ILCA workshop in August 1993. A further workshop by IDR is planned for May 1994. Consideration should be given to a major policy seminar

on rural land tenure to expose Ethiopian senior policymakers to developments in land policy in other countries and results of recent studies in Ethiopia.

There is also a **need for research** to inform the process of policymaking both in the short and the long term. In the short term, there is an urgent need for studies on (1) tenure issues in pastoralist areas, (2) tenure issues in urban and peri-urban areas, (3) tenure and commercialization issues, and (4) tenure and gender issues. There being a need for training for ministry staff and others in this area, we recommend a short course and RRA training on tenure and natural resource issues.

In the longer term, research priorities are: (1) assessment of the state of forests, reserves, and parks; (2) land rental markets and the structure of landholdings; (3) common-property resource management; and (4) the relative roles of central, regional, and local government in making and implementing land policy.

1. BACKGROUND AND CONTEXT

1.1 PREREVOLUTIONARY LAND TENURE

Prior to the revolution Ethiopia's land tenure systems were grounded in historically shaped, local institutions. Farmers' access to agricultural land and other natural resources rested on their participation in organizations based largely on kinship, community, patron-client political ties, or, in some areas, on the whims of a landlord.

Land tenure systems varied greatly across regions, with a broad contrast between the old northern highlands, the more recently incorporated areas in the south and west, and the areas in the western and eastern periphery of the country. In the north, most peasants enjoyed hereditary, potential land use rights by virtue of their membership in cognatic decent groups or residential communities, subject to the payment of taxes, tributes, and services to ecclesiastic or secular authorities. The ability of an individual to obtain parcels of land through these rights depended on whether parents (or spouse's parents) had held it, age, social standing in the residential community, and wider political influence. A successful peasant was able to add parcels of land to the holding over time. The holding seldom passed to a single heir as it was divided, in principle, among all children, male and female alike. This, and the fact that parcels represented shares of ancestral land rather than fixed plots, meant that there was little sense of a family farm to be husbanded, improved, and passed on to a principal heir. This also led to a degree of intergenerational mobility within the peasantry.

The size of household holdings ranged from a fraction of a hectare to 4 or 5 hectares and could include parcels in more than one community. Larger holdings were rare except in the case of notables and, in Tigray, monastic holdings. Because a peasant's parcels of land were scattered, the peasant often entered into exchange or rental agreements. Indeed, many peasants were at once both landlords and tenants. A class of landless tenants, however, was absent except in areas, such as parts of Wallo, that had been more recently incorporated into the empire by conquest.

In the southern core areas, by contrast, a majority of farming households worked as sharecropping tenants of a landlord class composed of northerners and local notables many of whom had acquired land rights as a result of conquests occurring around the turn of the century. Tenants had little security and might owe as much as three days' labor per week, plus other gifts and services, to their landlord. In some parts of this region there were also substantial numbers of large and small farmers enjoying something approaching freehold. Overall, however, this area was characterized by a very unequal distribution of land and great inequalities of status and security. In the more peripheral areas of the empire, tribal groups continued to use land and pasture under more or less indigenous arrangements except where disturbed by government or private development initiatives.

Prerevolutionary land tenure systems were by no means static. On the contrary, many of them were undergoing change in response to the weakening of the semifeudal rural bureaucratic class, the introduction and gradual enforcement of new nationwide systems of land taxation and justice, and more than anything else the commercialization of agriculture along the roads radiating out of Addis Ababa. For the most part changes in customary land tenure were gradual rather than dramatic. There were marked exceptions where new technologies were introduced in commercializing areas, such as northern Chilalo in Arssi province, characterized by tenancy, where the new ventures led to large-scale evictions of tenants and other peasants.

1.2 AGRARIAN REFORM

From 1975¹ onward, the revolutionary government forcefully undertook a radical and uniform program of land reform. The program was implemented almost everywhere, and its impact was far-reaching in most settled farming areas. Under the program all customary and other pre-existing land rights were extinguished and all land was declared to be public property. Individual households could farm up to 10 hectares of land (in practice this was often less than 3 hectares), but had only usufruct right over the land they cultivated, a right they could not transfer by sale, lease, mortgage, gift, or inheritance. The land was subject to periodic reallocations by peasant associations to balance inequalities or to accommodate new claimants. It was also subject to reallocation by agents of the party, which after 1984 came to play an increasingly prominent role in rural policy implementation, to make way for or promote socialist programs. The reform also abolished tenancy, agricultural wage labor, and other forms of peasant dependency on the landed classes. Large holdings were confiscated and turned into state farms, settlement schemes, or cooperatives.

The impact of the program varied over time and by region. Almost everywhere it was profound. We can sketch only the broad outlines of this temporal and regional variation. Three broad periods can be distinguished. From 1975 to 1978, the stated objectives of reform, set out in legislation issued in 1975, were twofold: to free the masses of the rural population from oppression and exploitation by the landed classes, and to promote economic development. Development was to be based on a new agrarian order consisting primarily of independent smallholders liberated from the inequalities of wealth and status characteristic of the old regime. Social justice, equality, and development were to be attained through the "public ownership" of land, allocated to households under usufruct rights, conditional on self-cultivation.

During the second period, from 1978 to 1990, the Derg made significant changes in the objectives of its agrarian reform program. Increasingly, policymakers pinned their hopes for rural development and modernization on large-scale, collective agriculture. The

1. All dates are European calendar unless specifically noted to be according to the Ethiopian Calendar (EC).

socialization of agriculture, which earlier had proceeded at a moderate pace, was greatly accelerated and became the cornerstone of rural policy throughout the 1980s.

In March 1990, pressured by civil war, a flagging economy, and the withdrawal of Soviet economic assistance, the Derg abandoned its attempt to socialize the rural economy and returned to smallholder agriculture. These changes were well received by peasants and merchants, but came too late to save the Derg from defeat in 1991.

From the outset implementation of the Derg's ambitious reform agenda varied from region to region and, at times, from one community to another as peasants, with more or less direction from outside "campaigners" and officials, adopted criteria and methods of land redistribution suited to their farming needs and in conformity with their experience. Everywhere, implementation started with the formation of Peasant Associations, the registration of families, and the demarcation of Peasant Associations (hereafter referred to as PAS or by the Amharic term *kebele*) areas. A *kebele* was to be 800 hectares in area, but in the absence of cartographic aids, boundaries were crudely and imprecisely demarcated following natural land marks such as rivers, hills, and forested areas. In some areas boundaries coincided with those of older community divisions such as religious parishes or the area under the jurisdiction of a neighborhood judge (*atbya dagna*). No serious effort was made to balance differences in resource endowments and population among *kebelles*. Later, some *kebelles* were reorganized and their number reduced through amalgamation.

Several phases of land redistribution can be distinguished in most areas. Initially, peasants simply retained the land they were cultivating as tenants or freeholders at the time of the reform, and their payment of rent, tribute, labor, or other obligations on the land were suspended. This was followed by the creation of land distribution committees in every *kebele* through elections, often influenced, to some extent, by campaigners or officials who tried to impose their ideas concerning social justice. It was the committee's task to allocate land to each household on the basis of criteria agreed upon by the community. In most PAS, land redistribution was based on family size, and plots were allocated to all households, including the landless (but excluding former absentee landlords) more or less on an equal basis. Households were eligible to get land in their residential *kebele* only. Land they held in other *kebelles* was forfeited often without compensation. To ensure equitable division, each household was allocated plots from different grades of land in different locations, a traditional practice during land division. It should be noted that this aspect of land reform did not exacerbate land fragmentation, it only reinforced it.

Subsequent redistributions occurred in almost all communities. The reasons for this varied. In some communities it was because many households were unsatisfied with the earlier redistribution; in others, because of the need to accommodate new claimants; in yet others, to correct earlier mistakes. Then, in the early 1980s, party functionaries in some regions redivided land once again to prepare the ground for collectivization. Large blocks of prime land were allocated to the producers' cooperative while households which did not join were given land parcels of lower quality or inconveniently located.

The frequency, pattern, and methodology (by estimate or rope measurement) of land division varied greatly from place to place. The number of general land redivisions between the initiation of land reform in 1975 and 1989 when a national directive put a stop to the practice ranged from two, as in Wollaita, to four or more in some parts of Wollo. Left to their own devices, *kebele* members who had received land in the initial redistribution were reluctant to engage in another general redistribution which for many would reduce the size of their holdings due to an increase in the number of households. When the *kebele*'s common pool of unallocated land was exhausted, new claimants were assigned land alienated from peasants considered to have more than their fair share of the land, or from grazing or marginal land. In many areas there was little reallocation of land after about 1980, except for that mandated by the formation of production cooperatives. Newly formed young households had to live and farm with their parents until land became available at the dissolution, usually through death, of another household.

Other things being equal, land redivision was carried out earlier, more rigorously, and more frequently in *kebelles* near roads than in remote areas. General redistribution was easier to carry out in areas where farming was dominated by grains and pulses than in areas where more permanent tree and root crops predominated. Redivision generally began later in the northern *rist* areas than in the core southern areas characterized by high rates of tenancy, yet it was less of an innovation in *rist* areas where the prerevolutionary land tenure systems entailed the periodic or sporadic redivision of ancestral blocks of land. Areas producing large amounts of grains for urban markets and suitable for large-scale mechanized farming were more likely to be the site of significant production cooperatives. All of these broad tendencies, however, could be overridden or modified by the enthusiasm of local officials, the resistance or cooperation of local peasants and their leaders, and the shifting tides of war and political control.

Radical land reform came to serve the broader agenda of agricultural transformation that eventually included agrarian socialization and the rapid promotion of producers and service cooperatives, villagization, grain requisitioning, the suppression of private trade in favor of the state-run Agricultural Marketing Corporation (AMC), state-owned large-scale mechanized farms, and massive interregional resettlement. After the first few years, and in particular after 1978 when the Derg embraced a hard-line Stalinist policy, implementation of all rural reform programs was highly authoritarian and top-down, with very little room for local participation or feedback. This top-down approach, and the coercion and control of the rural population (as well as of production) which the Derg employed indiscriminately until its downfall, eventually undermined the government's agrarian programs and led to wastage of rural resources on a large scale.

In a fundamental sense, the government's attack on both individual and common property rights in land and other natural resources was part of an attempt to undermine all forms of traditional suprahousehold social organization and to facilitate the transition to socialism. It is difficult to evaluate to what extent these efforts to disrupt local institutions succeeded and at what long-term cost in terms of peoples' ability to cope with stress and

engage in cooperative tasks. It is likely that some forms of organization were strengthened or "invented" in resistance to oppressive and unreasonable government demands.

In retrospect, land reform had positive as well as negative effects. On the positive side, land reform abolished large-scale and absentee landlordism and the exploitation of the peasantry by the landed classes. It redistributed available assets to the peasantry on a relatively equitable basis. To a large extent it gave land and community membership to former slaves and artisans who had previously occupied a socially and economically marginal status. Though new patterns of inequality between households emerged with time, they were, in large part, the outcome of the demographic dynamics, minor favoritism, and disparities between differentially endowed communities which the reform program had not addressed. Land reform also gave rise to a uniformity of rural administration and land tenure throughout the country (the areas in the periphery may be exceptions), thus doing away with the complexity of tenure arrangements. This may facilitate future rural development work. In any case landlessness was greatly reduced and a majority of peasants obtained usufruct rights over the land they cultivated.

On the negative side, the agrarian reform program had several shortcomings. (1) It forced peasants to engage in periodic redistribution of land to accommodate new claimants and new members of peasant associations with a net effect of leveling down and diminishing individual possessions. (2) Repeated redistribution gave rise to and exacerbated tenure insecurity among peasant households. This is perhaps the most damaging aspect of the reform. (3) The socialization policies of the Derg pursued with great haste and without peasant consent further heightened peasant insecurity and led to loss of incentives for land improvements or increased effort. (4) The extractive programs of the Derg impoverished peasant households and extended and deepened rural poverty. Grain requisitioning and the control of agricultural marketing contributed significantly to the suffering of the peasantry in the famine years of the 1980s.

The benefits of the reform were played out after its first few years, during which rural food consumption increased, but food production failed to show a corresponding growth. The consequences of reform remained apparent to peasants mainly in terms of changes in institutional arrangements. Potential production benefits of the agrarian reform program were undercut by the failure to provide peasant households with ancillary agricultural support services, and by the imposition of state marketing quotas, villagization, cooperativization, and a heavy tax burden. At the same time, war and civil conflict began to take a heavy toll on both the regime and the peasantry. As a consequence, per-capita peasant production dropped, marketed agricultural surpluses diminished, and peasants' incentives for investing in improved environmental management weakened. All of this contributed to a loss of legitimacy of the government and of its vision for a new society.

1.3 RURAL INSTITUTIONS

The Derg's policies of agrarian socialism would have been impossible to implement without the supportive role of the rural institutions created in the process of the revolution, namely, peasant associations (PAs), producers cooperatives (PCs), and service cooperatives (SCs) (see figure 1.1). These institutions were established both to replace earlier rural institutions which were seen as exploitative and reactionary and to support the government's ambitious program of rural transformation that went well beyond land tenure reform. Understanding the way they functioned and assessing the extent to which they still function or are beginning to reemerge is of fundamental importance in considering options for future land tenure policy.

Figure 1.1
Rural organizations in Ethiopia, circa 1990

ORGANIZATIONS	No.	HOUSEHOLD MEMBERS (million)	ASSETS (million birr)
PAs	20,455	5.7	-
PCs	3,732	0.3	90.00
SCs	4,052	4.5	154.70

1.3.1 PEASANT ASSOCIATIONS

As we have seen, PAs, which were set up as part of the land reform process, played a significant role during the early years of the revolution. Despite their many weaknesses (e.g., lack of organizational skills, poor financial management, etc.), and their frequently highhanded practices, the organizations were generally accepted and even popular among a large segment of the rural population in these years. As the government's rural policies turned into hard-line socialism, however, they became integrated into the structure of government and ceased to be popular mass organizations. Initially they were responsible for law and order, conflict resolution, and tax collection in their respective jurisdictions, but during the 1980s they became directly involved in implementing many of the unpopular policies of the state. PAs became engaged in ensuring quota deliveries to AMC, collecting so-called voluntary contributions from households, villagization, resettlement, and forcible military recruitment. In short, PAs became more authoritarian and alienated from their membership, and hence increasingly unpopular as they became politicized and assumed greater state functions.

When the Transitional Government of Ethiopia (TGE) assumed power, many leaders of rural institutions, including those of PAs, were placed in detention on the grounds that they were party members. All PAs were turned into Peace and Stability Committees (PSCs) whose

initial function included policing their communities and maintaining or restoring order and security. However, in some communities PSCs went beyond their mandate and attempted to resolve the many competing and conflicting demands of new land claimants and to redress old grievances arising out of the cooperativization and villagization schemes. Moreover, many PSCs fell under the influence of the local parties which were engaged in active attempts to recruit cadres and extend their outreach, and some of the decisions carried out by the committees were consequently politically motivated. PSCs have gone through several phases of reorganization—five according to our informants in Wollaita—in the last two years, and there is reason to believe that more reorganization or redefinition of duties is inevitable. As of April 1993, however, elections to office had been completed in many localities, and the organizations, again called PAS, resembled the PAS of the early land reform period, at least with respect to their structures and core duties, though they had considerably less power. The leadership of the organizations has been made up of a five-member executive body and a judicial tribunal consisting of three people.

1.3.2 PRODUCERS COOPERATIVES

The Derg regime was eager to prove that producers cooperatives were viable and would pave the way for rapid rural development; according to policy planners at the time, PCs were to spearhead agricultural development and to be the chief source of food grain by the mid-1990s. There was thus a concerted effort to promote cooperativization, and to downplay private smallholder agriculture. However, PCs were imposed on a largely unwilling peasantry, and many of the enterprises were set up by party agents frequently employing forceful or unethical methods. Moreover, the best land in each community and valuable natural resources, such as pastureland, water points, and the like, were reserved for the enterprises. This often involved evicting large numbers of households and relocating them elsewhere, often on marginal land. Cooperators who wished to leave forfeited the land and other capital assets they had brought into the enterprises. In brief, PCs were unpopular among their own membership as well as among the surrounding peasantry.

All the available evidence indicates that PCs were inefficient compared to individual farming in terms of both productivity and resource management. The problem lay in poor management and labor deployment practices, and the top-down decision-making approach that was characteristic of cooperative leadership. There was frequently a strong feeling among the participating peasantry that the enterprises did not belong to them, and many peasants were not sufficiently motivated to make cooperation a success. How unpopular the enterprises were became evident when the 1990 mixed economy reforms were announced: the great majority of PCs were disbanded by their own members within the first week of the reforms.

1.3.3 SERVICE COOPERATIVES

SCs were set up to provide a variety of essential services to their members of which the most important were consumer goods and services, modern inputs, and marketing outlets and improved prices for peasant produce. While they were established largely by government

fiat and without sufficient participation by the peasantry, these services, though limited in scope, were welcomed by peasants. A number of SCs had credit schemes for their members, which involved a revolving fund for the purchase of oxen and other essential assets. Others operated workshops for making and repairing hand tools and other farm equipment, while many provided milling services which were of great benefit especially to women. The main service offered by SCs, however, was the selling of consumer goods in the cooperatives' shops, the running of which took up a great deal of time and effort. Most of the shops sustained losses, some managed to break even, but few were able to meet peasant demands for basic goods partly because of poor management, but mostly due to the severe shortages that paralyzed the economy at the time.

From the start, SCs were plagued with wastage of resources and financial irregularities on a large scale. While some of this may have been due to poor record keeping and financial management, most of it can be attributed to corruption by the leadership and its supporters in the party. SCs were made up of PAs and not individual households, ruling out active participation from below and responsibility and accountability from above.

However, despite serious complaints about their shortcomings and improprieties, many peasants are willing to give SCs a second chance in the belief that, purged of their inefficiencies and corruption, the enterprises can play a useful role, particularly in a changed rural environment.

It remains to be determined, however, to what extent both the popularity and the problems of SCs were a function of the fact that they were distributing goods and services at below-market cost. To the extent this was the case, the problem would need to be confronted before the SC's functioning could be greatly expanded or the familiar problems of patronage and rent seeking could be overcome.

1.3.4 CURRENT SITUATION OF RURAL INSTITUTIONS

At the time of our field visits, PAs and SCs were in various states of reactivation. PCs, which were all disbanded well before the TGE assumed power, were defunct and are unlikely to reappear in any recognizable form in the foreseeable future. While the government's agrarian policy is yet to be formulated, many PAs and some SCs have resumed their activities without substantial changes in organization or decision-making structure. In many of the communities we visited, new PA leaders had been elected and were busy carrying out tasks involving land allotments to former Derg soldiers and other claimants, collecting taxes, hearing complaints, and enforcing law and order. While there are plans to restructure service cooperatives, many were striving to provide basic services to their clientele, mainly running the cooperative shops and keeping the flour mills in operation. A key question which has been discussed within the Ministry of Agriculture (MOA) and among donors involved in restructuring rural institutions is whether SCs have the requisite infrastructure and organizational ability to shoulder the task of purchasing and distributing fertilizers and other inputs to peasants on a regular basis. An affirmative answer will redefine their responsibilities and extend their duties considerably.

It is not clear at the moment whether rural institutions will be allowed to concentrate their efforts on their core duties or be empowered to carry out activities of a political nature as well. The urge to establish party control over the PAS in particular appears to be strong at the moment, and while this may in the short-run benefit local political parties, we believe that its longer-term consequences for political stability and development would be negative. The lesson we have drawn from the experiences of the Derg period in this regard is worth reiterating: it was precisely the politicization of the rural organizations which turned them from popular or near-popular bodies into a force against the peasantry, and in the end made them thoroughly unpopular.

By March 1990, Mengistu was faced with mounting military expenses, worsening civil war, and impending economic collapse. In a dramatic address to the nation he acknowledged that his socialist agrarian reform program was unsuited to Ethiopia's needs in the context of the new world order. He rescinded a number of the program's most unpopular measures, though land was still to belong to the state, and encouraged private initiatives in farming, marketing, and land rental. Farmer response to this liberalization was enthusiastic, and in most parts of the country the regime's socialist programs were quickly dismantled, but the reforms came too late to save the foundering regime which collapsed in military defeat in May 1991.

1.4 POSTREVOLUTIONARY LAND TENURE POLICY

Today Ethiopia does not have a fundamental land tenure policy. The Tigray People's Liberation Front (TPLF), the dominant group of the coalition which assumed power with the fall of the Derg, had implemented its own land reform in liberated areas of Tigray even before its final victory. The TPLF encouraged the peasants to divide arable land equitably between all households according to household size through a process involving cadres who engaged in political agitation among "poor and middle peasants" to ensure local councils' commitment to reform. While this pattern of division resembles a variant of traditional tenure (*diessa*) once widespread in northern Tigray, it differs in abrogating hereditary rights and in establishing state ownership of the land.

Since coming to power, the new government has moved slowly on land policy for political and other reasons. Government continues to act as owner of all land, and while there have been reassuring statements, property rights have not been formally recognized or protected. Further policy developments will await an election and a new political mandate to be confirmed by a nationwide referendum. In the interim, the government's recent document on economic policy proposes that land would remain owned by the government for the time being with the following caveats. (1) In the smallholder sector, the policy document calls for the suspension of redistributions, at least for the transitional period; holdings however can be inherited or leased, and hired labor can be used. Farmers have full freedom of disposition of their production. (2) Resettlement has been stopped, but it is assumed that settlers will remain in the areas where they have been settled, and efforts were made to establish harmony with local communities. However, a great majority of those resettled have

since returned home—some on their own initiative, some because they were chased out. Services provided on the settlement schemes are to be reduced to normal extension services. (3) There is a call for the establishment of commercial farms by private individuals and companies. Land is to be provided on concession, in such a way as not to affect the land rights of local people. Incentives for investment will be provided through bank credit, tax concessions, more feeder roads, and other infrastructure improvements. Foreign capital will be permitted to invest, but only when nationals cannot meet the need. Unprofitable state farms would be abandoned or given on concession to private investors, national or foreign, though national investors would receive preference.

Although pragmatic and sensible in the short term, these interim guidelines explicitly leave open the most fundamental and long-term issues in Ethiopian land policy.

2. CURRENT SITUATION

2.1 SMALLHOLDER AGRICULTURE

2.1.1 ROLE OF SMALLHOLDER AGRICULTURE

Smallholder agriculture is of overwhelming significance for the food security and welfare of Ethiopia's people, the growth of its economy, and the quality of its environment. About 80 percent of the nation's households depend entirely or primarily on peasant agriculture or pastoral activities for their livelihood. These households occupy about 95 percent of the available pasture and arable land. In aggregate, agriculture accounts for about 45 percent of GDP and 85 percent of foreign exchange earnings. Because of poor transportation, a lack of economic diversification, and the scarcity of off-farm employment, access to arable land and/or pasture remains a primary determinant of income and food security for a majority of Ethiopia's rural households.

Despite its importance, however, smallholder agriculture was neglected under the previous government. For example, during the 1980s, peasant agriculture received only about 15 percent of the government's recurrent and capital expenditures on agriculture, the remaining 85 percent going to state farms, far more than its proportional contribution to GDP. In addition, smallholder agriculture was much more efficient than state farms. In the future, any effective development strategy for Ethiopia must focus on the smallholder sector because of its importance in employment, food production and food security, and environmental management as well as its role in political stability.

Many of the farmers we interviewed expressed a degree of satisfaction with agricultural conditions especially when compared with those prevailing in the recent past. In most areas the rains have been good for the past two years. Farm-gate prices for agricultural commodities have increased up to threefold. Agricultural quotas have been eliminated. Taxes have been low and for the most part not collected. Forced contributions in money and labor have ceased. Perhaps most welcome of all, there is no war and no conscription. As one observer put it, "It is the time of the peasant."

Yet there is also uncertainty about the future. Variations in rainfall and drought are inevitable. The price of fertilizer is higher, reflecting the devaluation in October 1992. Agricultural extension services received only about 1 percent of the recurrent budget of the MOA. These services continue to be weak. The effects of regionalization and other administrative and political changes are largely unknown. Agricultural and natural resource policies are yet to be defined. In many areas both arable land and pasture are increasingly scarce. In some areas large numbers of refugees are yet to be accommodated. Soil fertility is said to be declining and erosion continues.

There is also great uncertainty about land tenure in the wake of the Derg's ambitious and multifaceted agrarian reform program. In part this reflects individuals' uncertainty as to the status of their rights to land they currently hold or hope to claim or reclaim. But, in a deeper sense, it reflects their uncertainty concerning the most basic elements of the government's future land tenure policy. Comparative studies indicate that there is, *a priori*, no ideal system of land tenure that will foster equitable, environmentally sustainable development. It is clear, however, from experience in Ethiopia and other countries, that land tenure policy can inhibit, skew, or foster broadly participatory agrarian development.

2.1.2 ACCESS TO AGRICULTURAL LAND

In view of the Derg's success in implementing a program of egalitarian land reform we found a surprising number of adults who lack direct access to land in their own right. Indeed, in a few peasant associations as many as 50 percent of household adult men were considered to be "landless" by members of their community. They comprise young adults who require land to support new households, returning soldiers, individuals returning from settlement schemes, refugees, and other displaced people. There is much regional and local variation in patterns of access to land and in the structure and degree of "landlessness." Nonetheless, some basic tendencies are evident everywhere, and many of the same processes are at work. We will review the institutional background to these processes, examine problems of access to land facing different social categories and groups, and relate them to regional differences.

Under the Derg, access to land through inheritance, membership in kinship and vicinage institutions, patronage, and sale were largely replaced by processes of redivision and allocation by the authorities of the newly formed, territorial-based, peasant associations. With the weakening and collapse of the Derg regime, accompanied by the dissolution of the party, the erosion of peasant associations' power, and the transitional government's formal prohibition on the redivision of land, the state lost control over peasants' access to land. There was not, however, a corresponding return to reliance on prerevolutionary institutions or patterns of landholding, though in some areas indigenous forms of social organization appear to be playing a crucial role in settling disputes over land, such as those resulting from villagization. (See Box 1.)

By May 1993, coalition cadres were firmly in control of regional, zonal, and district government in most regions and were establishing control over or replacing peasant associations. The process had been completed in Tigray and in most of Wello and Gojjam. It was at various stages of completion in the rest of the country. It appears that the peasant association, the service cooperative, and a strong, locally dominant political party will once again provide the framework of rural administration and service delivery. Their future role in land administration remains unclear.

Box 1 Return to prerevolutionary social institutions for settling disputes

Dalocha *woreda* is part of the Silti Gurage area of southern Shoa. Case studies in three Dalocha peasant associations show a marked rejection of the PA tribunal for resolving land disputes and a return to prerevolutionary mechanisms. Despite the fact that only a few farmers in Dalocha gained land through corrupt PA practices and even then their gains were quite small (generally less than 1 *timad* in excess of their legal rights), the reputation of the PAs in matters of land distribution and judgment has been badly tarnished. There are several reasons for this: first, cases in which bribery or nepotism affected land allocation are transparent to the whole community; second, the plight of landless, newly formed households and families who have lost land in further redistributions heightens the injustice felt by the villagers; third, in two of the PAs, many households lost common grazing land to those willing to pay the PA for usufruct, cultivating rights. As a result, no interviewed farmers considered the PA tribunal suitable for dispute judgment; all believed that the revived *errat* system will offer fairer verdicts.

The *errat* system is essentially a process of judgment by respected elders and religious leaders. Although discouraged during the Derg's time it continued to judge, albeit clandestinely, the less public disputes such as intrahousehold quarreling. The increased use of the *errat* system post-Derg has been facilitated by a simultaneous strengthening of the *idder* system (which collects cash contributions in order to pay for the funerals of adult members). *Idders* were sorely weakened in Dalocha in 1985 when drought and crop failure made it impossible for farmers to meet the consequent funeral contributions. Payments were suspended and only resumed in 1991 after extensive low-profile lobbying by poorer families. In addition, the division of the countryside into PAs forced many families into new *idders*, but these families, since 1991, have been returning to the *idders* of their choice. The consequently strengthened *idders* are helping to legitimize the *errat* by forbidding *idder* membership to those who refuse to comply with *errat* judgments.

Currently most of the disputes solved by the *errat* process are cases involving debt defaults or robberies. However, in those areas which were villagized, houses are standing on land which was farmed by individuals before 1987/88, and in others farmers are now cultivating land which once held another individual's home and garden. In general, the *errat* upholds the right of the previous user but recognizes that immediate movements may not be possible, given the high cost of constructing new homes.

The *errat* concept of justice seems, at the moment, to be distinguishing the Derg's "laws" on initial redistribution from the flawed implementation of the laws by the PA administration. "Fairly" administered distributions are not in question, but corrupt allocations are likely to be brought to judgment in the near future. Elders stated that claims, especially from poorer households which lost land after the initial redistribution or through adverse peasant association judgments, are "expected." It appears that, by publicizing their expectations, the elders in effect sanction the admission of certain types of disputes. The view of several *idder* elders, however, that it is pointless to make judgments which may then be overturned, emphasizes the inhibiting effect political uncertainty is continuing to have on the decision to resume land conflict resolutions.

Irene Campbell, personal communication.

The prohibition of the redivision of land and the limitation of transfers to inheritance have apparently been followed everywhere. (In Tigray and in parts of Wello, Gondar, and northern Menz, divisions were carried out prior to the end of the war.) The result has been to freeze the pattern of landholding that existed at the time of the transition in May 1991. The stability provided is desirable in the short term, but cannot be sustained. Neither the prerevolutionary nor the Derg-era processes that served to accommodate demographic change—that allocate land to people and people to land—have been allowed to function. The impact of this blockage of most types of land transfer is everywhere a matter of great concern. Along with a number of factors to which we now turn, it is shaping the differential access of rural community members to agricultural land.

Local politics. Perhaps the most common complaint concerning access to land, aside from the absolute shortage of land, is that land was not divided "fairly" under the Derg. This "unfair" division was attributed to the fact that former association officials favored their friends and kinfolk and those who gave them bribes with more or better quality land. In associations that had PCs (for example, along the main roads in Eastern Gojjam and Arssi), it is alleged that, in many instances, the members, having taken the best land for the cooperative, divided it only among themselves upon its dissolution. There was conflict and contestation over land division everywhere under the new system. The outcomes varied with local politics, though in most cases differences in access to land do not seem to have been great.

Class. In general, peasants and families that had more land before the revolution still have larger than average holdings, though differences are small and large holdings have been eliminated. There thus appears to be a degree of continuity in household access to land which may be related to their control over oxen and other forms of capital, the role they play in local politics, and/or their skill in farm management. It should be emphasized, however, that in absolute terms differences in holding are nowhere near as great as they were before the revolution. Nor did we hear of instances in which former large holders, local or absentee, had successfully reclaimed more than a small amount of their land. In one somewhat exceptional case, for example, a local landholder-merchant who had held 7 *gasha*² before the revolution now has 10 hectares including 4 hectares of disease-resistant coffee. There is, however, widespread fear in the southern regions that former landlords will try to regain their holdings.

Generation. Due to the freeze on land division by PAs and traditional mechanisms of land allocation, an increasing number of young people have little or no access to land of their own. Some remain unmarried, others marry and remain in a parent's home. Youths are registered with their peasant association in the expectation that there will be another division. In Eastern Gojjam, where land was apportioned (that is, taken from one household and given to another) to new couples up to the transition, the number of young people registered as landless in associations visited did not exceed 12 to 15 percent of the number

2. Roughly speaking, 1 *gasha* equals 40 hectares.

of registered households. In other highland farming areas redivision effectively ceased during the 1980s as the association's pool of unallocated land was given out. In these areas the number of "landless" young is reported to be even higher. In six associations in Arssi, the number of registered youths varied from 2 percent to 54 percent of registered households, with an average of 20 percent. In densely settled areas dependent on root and tree crops even higher numbers of "landless" youths are reported.

Gender. While further research is urgently needed in this area, it does not appear that land reform improved women's access to land as some policymakers may have intended. In principle women as well as men could be members of the peasant association. In the Christian, smallholder areas of the north where women had always held land rights (*Amharic rist*), only single women with households (widows and divorcees) were usually given land as association members. Married women could claim a share of their husband's land, proportional to the number of children who stayed with them, upon divorce, provided they did not move and obtain land from another association. In any case women remained disadvantaged in regard to using their land, as they had to have a tenant or male relative farm it. One observer reports that in Wogda *woreda* reform strengthened women's rights in land and led to a reduction in the divorce rate, which has risen again since the end of the Derg regime. Elders in Dega Damot *woreda* in Gojjam said they saw no difference in divorce. Reports we obtained from other areas do not clarify this issue.

In other parts of the country, among groups where women had not enjoyed land rights before the revolution, reform generally did not benefit them. Conflicts arose in some instances when polygynously married wives living in different associations from their husbands claimed membership and land in their own right. In other cases husbands tried to claim land by registering each of their wives as members. The outcome of these conflicts varied, but women do not seem to have often been the beneficiaries.

In all parts of the country higher status women who controlled land as *rist*, freehold, or through other prerevolutionary tenures, like their male counterparts, lost it.

In our brief field visits, conducted by men, for the most part with male informants, it was not possible, in most regions, to determine to what extent or in what ways women's right in land changed after the transition. In Christian communities both men and women told us that women still had the right to keep a share of the household land proportional to the number of dependents who lived with them, provided they did not move out of the association. We were not able to determine whether this usually happens in practice. In Tigray, the most recent land division assigned equal shares of land to adult women. In Gojjam the practice of child betrothal, stopped under the Derg, has commenced again. The whole issue of gender and land tenure is complex, important, and in urgent need of further study.

It is now widely accepted in Ethiopia in academic and planning circles that women are an important force in agriculture and the rural economy. Nevertheless, very little attention has been paid to the issue of women's rights of access to resources. It appears that

significant changes are occurring in the structure of rural households. These changes undoubtedly involve greater responsibilities and burdens on women. There is reason to believe that women-headed households are growing in number in the rural areas, and in some PAS such households now constitute 20 percent or more of the registered membership, a high figure compared to those of the mid-1980s. Significantly, the great majority of these women are widows. This is because over the last ten or so years, rural households have been devastated by a series of social and environmental crises; the long civil war and military recruitment for the Derg army, famine, resettlement, and growing rural poverty account for the large number of widows and female-headed households in the rural areas. Such households are often marginalized and make up the poorest stratum of rural society. Moreover, the practice of delaying marriage by young people due to the lack of land—a practice not uncommon in the areas we visited—may place young women at a greater disadvantage than young men.

In sum, the special needs of rural women, whether household heads, spouses, or single persons, remain largely unexplored. This is an important subject that needs to be seriously investigated and with significant policy implications.

Occupational minorities. In all of the areas we visited, formerly landless occupational caste groups, usually including tanners, weavers, potters, and smiths, are reported to have retained the land they received through land reform. At least one observer, however, believes they are at risk of losing their improved access to land as old patterns of social and cultural differentiation reemerge (personal communication, Helen Pankhurst).

Religion and ethnicity. The land rights of ethnic and religious minorities present complex and potentially explosive issues. Prerevolutionary land tenure systems in much of the country were the result of conquest, land alienation, enserfment, and settlement by northern groups. The political order that underlay this system has collapsed with the revolution and lost any semblance of legitimacy, leaving in its wake a variety of interethnic situations and tensions. Densely settled root and tree crop areas like Wollaita had never seen extensive northern settlement. In these areas land reform effectively removed most members of other ethnic groups from the countryside.

In Arssi and Bale, by contrast there had been extensive settlement by Christians from Shoa and the older northern regions. In these areas tension between ethnic or religious groups (the distinction is often blurred) is widespread. In March and April 1992, Moslem Arssi Oromo in Arba Gugu *woreda* used violence to force Christian Shoaan settlers from land with which they had been rewarded by the late emperor. In other communities in Arssi, Christian Oromo and Amhara settlers reported that they were being harassed, or feared that they might be, by Arssi Oromo neighbors who wanted their land. Conflicts have also been reported between Arssi and neighboring Sidama villagers.

After the division of Ethiopia into its current fourteen regions, a large number of Silti Gurage found themselves in a predominantly Oromo region (region 4). Oromo militants, using the new regional border (between region 4 and region 7) as justification, ousted several

thousand Silti from the Wido area, including rural and urban dwellers. The Silti have not found it possible to return and have dispersed themselves among Silti friends and family living in region 7. Most have lost much of what they owned. Silti-Oromo disputes have a long history in this region so the displacement can be seen as simply the latest episode in a continuing struggle over the extent of the land held by the two groups.

In northeastern Gojjam, where most of the population consider themselves Amhara, small numbers of Moslems from Wello, who had settled as squatters or tenants before the revolution and had received land through land reform, were forced by their Christian neighbors to leave their land and new communities soon after the fall of the Derg. In Wello, substantial numbers of intermixed Christian and Muslim Amhara communities, left by past political events, continue to live side by side without apparent tension. We did not visit Gofa, where extensive settlement took place, but we did not hear reports of conflict. In Tigray, Moslems, most of whom were urban, received land under the Derg reform. Except in Hawzien, this was mostly town land. Those allocations in Tigray appear stable since the change of government.

Returning soldiers, settlers, refugees, and other displaced persons. The transitional government was faced with the task of helping staggering numbers of people reintegrate themselves in the rural economy. With the collapse of the Derg the transitional government was left with the monumental task of demobilizing over 200,000 soldiers, the majority of whom returned to their rural home areas. The demobilization commission indicated that by May 1993, they had registered 165,000 rural returnees, a majority of whom had received at least some land from their kinfolk or committees set up under the direction of the commission at the service cooperative level. In principle they were to receive an ox and agricultural inputs. Many of those we interviewed, however, claimed that they had not received their full share of these benefits.

The difficulty of reintegrating soldiers varied greatly from place to place. In Amhara Gojjam the task appears to have been accomplished without great hardship. In Wello the demobilization reports it had greater difficulty due to land shortage. In some southern areas where conscription rates were high, land-shortage problems persist. Some returnees are idle, some work on state farms (e.g., Lole in Arssi, Goma in Jimma) and some have caused security problems. (See Box 2.)

It is estimated that less than 10 percent of the 600,000 households resettled by the Derg remain on their new lands. Dissatisfaction with their lives in the settlements was initially the major reason they returned home or settled in cities and towns, but there are many other reasons. After the transition some settlements were attacked by armed members of opposition groups. In addition, it is reported that conflicts over land rights between settlers and members of ethnic groups resident in the area prior to settlement are forcing some of the remaining settlers to leave. Returning settlers, like soldiers, create demand for further land division. In regional terms approximately 60 percent of settlers came from Wello, 15 percent from Tigray, and another 15 percent from Northern Shoa. In relation to its total population, many also came from Kambatta.

Box 2 Returning Derg soldiers in Wollaita

Wollaita contributed a disproportionately high number of young men to the Derg army. While many were pressed into service, particularly in the last years of the Derg when the civil war escalated dramatically, some were volunteers who frequently became trained officers. When the Derg army collapsed, Wollaita soldiers and officers returned home in large numbers, many still carrying their arms. In Bolosso, one of the *woredas* in Wollaita we visited, administration officials estimated that only about 10 percent of the thousands who had returned were capable of supporting themselves; the rest were destitute and in need of immediate assistance. The figures may have been a little exaggerated but not the severity of the problem. Almost everyone we talked to here and in the neighboring *woreda* of Damot Gale attributed the high rate of rural crime that both areas had been experiencing in the last two years to the work of the returned soldiers; the crime rate (which included robbery, extortion, and murder) was said to be the worst in memory in Bolosso. In an attempt to reduce crime, priority in land allocations was given to the soldiers, a decision that some PA officials were unhappy about since a considerable number of landless had been waiting for allotments for several years, and since hardly any community had cultivable land to distribute. Almost all of the land parcelled out to the soldiers was marginal or not fit for any form of cultivation; moreover, in many cases, the plots allocated were too small even by Wollaita standards. Our informants told us that while a good number of recipients "sold" their plots and moved out of the rural areas soon after allocations were made, many others were trying to make a living working their allotments. It is not clear whether "selling" here involved the permanent transfer of land rights to others, or long-term leasing since in every case the transactions were made clandestinely and without involving the PA or others. In Bolosso, land transfers involving contracts or long-term leases, which are not infrequent, often take place without the knowledge of the PA or of even one's neighbors. Our informants in Bolosso were of the opinion that some of the ex-soldiers who participated in the land allocations had no intention of living in the rural areas to start with.

There are also considerable numbers of refugees who have not returned to their home areas, the single largest group being the 60,000 refugees from Tigray still in the Sudan. The regional government is preparing sites in western Tigray for the settlement of these refugees, hoping to thereby avoid the demands for land which would be generated by their return to their communities of origin. A major return of refugees originally scheduled for April 1993 was postponed because of questions about the readiness of sites and services.

Unknown numbers of other people were displaced from their homes by war, the creation of state farms, and other causes. In the Wabi Valley area of southern Arssi, for example, it is reported by local officials that more than half the population displaced by the creation of Gofer and Ardita state farms fled to live with their clans in Shoa, Bale, and

elsewhere in Arssi rather than move to planned resettlement villages. After the transition they have returned in large numbers, clashing with farmers who did not leave and creating administrative and political problems for local authorities.

Villagization. In most areas visited where villagization had occurred, from 60 to 80 percent of households had left or were in the process of leaving the village. To the extent possible, they appear to be returning to their former homesteads. The main exception is in villages with water, electricity, or especially favorable market location. In Tigray there was very little villagization under the Derg, and few new villages were created. In other northern former *rist* areas, where individual rights were traditionally a share of ancestral lands rather than particular fields, and agricultural investments in the homestead were modest, "de-villagization" does not seem to be generating great conflict. In Dalocha many people have reclaimed their homestead plots in order to be near their agricultural land. They have also made claims to their agricultural land which had been villagized and had other people's homesteads on it. For the most part these claims are being resolved by traditional means without becoming acrimonious disputes [personal communication, Irene Campbell].

Issues:

- ▶ What is the regional and subregional distribution of landlessness, and what is its composition in terms of political influence, class, age, gender, occupational status, ethnicity, and religion?
- ▶ What is the regional and subregional distribution of returning soldiers, settlers, refugees, and other displaced people, and how are they obtaining access to land?
- ▶ What is the regional and subregional distribution and rate of movement out of villages (de-villagization), and what problems is it creating in relation to land rights?
- ▶ How did land reform and the changes since the transition affect women's access to land in different regions and in different ethnic and religious groups?
- ▶ Where, how, and to what extent are ethnicity and/or religion factors affecting access to land and security of tenure?
- ▶ What is the present role of the peasant association in regulating access to land, water, pasture, and trees?
- ▶ What is the role of indigenous or prerevolutionary social institutions in settling land disputes?

2.1.3 TRANSACTIONS AND STRATEGIES

Ethiopian peasants, like peasants everywhere, are faced with the challenge of balancing their changing consumption needs, labor, and capital endowments, with access to land. In most areas this challenge is given added urgency by the scarcity of off-farm employment and alternative forms of income generation. **Inheritance** and **gift inter vivos** provide access to some land for young households, but cannot meet all of their needs. The difficulties many households are currently experiencing in obtaining land in their own right

has forced them to rely increasingly on sharecropping, cash rental contracts, illegal sale, and other arrangements.

By far the most frequent way that households balance land access with needs is through **sharecropping tenancy** which was forbidden by the Derg, with some exceptions, until the 1990 reforms. Prior to the revolution in the southern regions tenants were usually poor and landless. In the northern *rist* areas, by contrast, tenants were more often young householders from landed families who had access to insufficient land for their growing household's needs, or well-to-do peasants with sufficient labor and oxen to plow additional land. Today, there are many reasons for tenancy. Young men, returning soldiers, settlers, and other displaced people become tenants because they lack direct access to land. Alternatively, some soldiers, returnees, and members of the community, who have land but lack oxen (and the capital to purchase them), rent out their land. In many communities well-off households with one or more pair of oxen and labor rent land from their less fortunate neighbors.

Sharecropping arrangements vary with land quality and availability, and according to which partner supplies seeds, labor, and oxen. Tenancy relations, in the present Ethiopian context, are complex and raise many problems that need to be better understood. For example, it is reported in Wogda *woreda*, in northeastern Shoa, that some landholders, including single women, are reluctant to give their land to tenants for fear that they will not be able to reclaim it or that the village leaders will give it to others on the grounds they do not need it. We do not know whether this problem is widespread. In a land-short and poverty-stricken area of southwestern Wello (former Borana Awraja) that experienced land division under EPRDF auspices before the transition, new forms of debt tenancy appear to be emerging that may lead over time to land alienation.

In former *rist* areas **cash rental agreements** are reported to occur in many villages but are not common and are considered immoral, if not illegal. They are invariably described as "selling" (Amharic *meshet*) rather than renting, a concept with highly pejorative connotations. Terms of the contract are reported to vary from a few hundred birr per year up to lump sum payments of 2,000 birr in instances where the landholder was leaving the area and was not expected to return. The later arrangement was viewed as tantamount to permanent sale, though no one is confident that any land transaction will necessarily be binding or enforceable over time.

Cash rental and other contractual arrangements involving cash and tractor service are found in areas such as Ada in Shoa, and parts of Arssi where agriculture is technically and commercially more developed. In Arssi, in areas where tractor cultivation was practiced on production co-ops and state farms, households without oxen (including returning soldiers and young people), and some well-to-do peasants are renting land to merchants with tractors. Rents reportedly vary from 200–300 birr/hectare for unimproved land to 1,000 birr/hectare for fertile land near the market town of Huruta. Contracts were invariably reported to be for one season only. Due to the small size of individual parcels, town-based tractor owners

arrange to rent contiguous parcels in return for providing tractor service for their holders on their adjacent land.

Although **land sale** is not legal, it occurs surreptitiously in many areas. Reports on its frequency are not very reliable. In Dega Damot and many other former *rist* areas it is disguised as long-term cash rental and perhaps as antichresis (possessory mortgage, Amharic *weled agid*). Near Bechena peasants insisted that they would not consider selling land, not only because it was illegal and immoral, but because the local authorities would hear about it and would confiscate the land. In Tigray, the possessory mortgage acceptable in prerevolutionary day, is now proscribed because it so often disguised sales which created landlessness. It is likely that disguised sales are more common in commercialized areas. Certainly they are believed to be widespread in peri-urban areas where, it is alleged, urban individuals and firms are acquiring large amounts of land. Interestingly, disguised land sales are also reported to be widespread in Wollaita. In Arssi, peasants buy and sell house sites in villages, though they are shrewd enough to say they are selling only the houses and other improvements.

The status of the rights by which peasants hold land today is ambiguous at best. For example, a parcel of land initially acquired through inheritance before the revolution may have subsequently been allocated to its holder by the land committee or may have been appropriated by the production cooperative and then "repossessed" by the holder when the cooperative was dissolved. Future land tenure policy is equally uncertain. In the face of present and future uncertainty peasants appear to be adopting a variety of strategies to ensure themselves and their children access to land. The nature and consequences of these strategies urgently require more careful investigation. Box 3 illustrates the complexity of one farmer's response.

Issues:

- ▶ To what extent do households in different areas still cultivate parcels of land which they or their close kinfolk used before land reform?
- ▶ How is land being transferred from one generation to the next? What is the role of gift inter vivos? What is the role of inheritance? Are local customary rules of inheritance or the civil code being followed, particularly in regard to the rights of women? How are disputes over inheritance resolved?
- ▶ What is the distribution and incidence of different types of sharecropping arrangements? Who are the "landlords" and who are the "tenants"? What are the terms of the contract? How have the terms changed from the past? Are new forms of tenancy agreements emerging? How are disputes over tenancy resolved?
- ▶ What is the distribution and incidence of cash rent for land? What are the terms of the contract? Are contracts written? Are they witnessed or registered? How are disputes over contractual obligations being resolved?

Box 3 A contract farmer in Arssi

George (a fictitious name), whose father was non-Ethiopian, has an urban background and experience in repairing mechanical equipment. He has access to investment capital through his kinsmen. He had no background in agriculture until he established a successful cattle-fattening operation south of Nazret. In spite of his lack of experience or education he has decided to try his hand at contract farming. He purchased two tractors and a combine in the Netherlands and, after a long wait, managed to get a license in Addis Ababa to engage in commercial farming. After selecting the Lole area for its fertile soils and suitability for mechanized agriculture, he went directly to a local farmer and asked him to bring together a group farmers with contiguous parcels of land. He would, he explained, like to rent land from each of them for 120 birr/ha and would be willing to prepare some of their remaining land for sowing as part of the bargain. He has signed a contract with each of the participating farmers. At the time he was interviewed, his tractor was out of service awaiting a part. Despite this delay, peasant complaints that it may cause them to miss the planting season, and the obvious risk of a new venture, he is optimistic that his enterprise will succeed. *It should be emphasized that this case is exceptional. In all other instances we encountered, contract farming was being done with tractors originally purchased for state farms or production cooperatives. For this reason operators did not have to amortize their equipment.*

2.1.4 REDISTRIBUTION BY THE TPLF AND EPRDF: PRESSURES AND PROSPECTS

The general pattern of land redistribution under the Derg has been noted in the background section of this paper. In this section we are concerned with redistributions carried out by the TPLF and later the EPRDF in Tigray and, after the collapse of the Derg, in other regions. These redistributions are of special interest as they would appear to represent one school of thought that is still influential within the EPRDF and hence could influence future land policy.

In Tigray between 1976 and 1992, most communities went through one or two redistributions under the Derg and one or two redistributions under the TPLF. Land redistributions under the Derg began in 1976 and continued intensively through 1978, with some redistributions as late as 1979. The extent of the reforms is impressive. Almost all the communities in Tigray seem to have been covered, even those over 20 kilometers from feeder roads. While the early redistributions were contemporary with the *zemecha* campaign, the students were not very involved in the land redistribution beyond the consciousness-raising phase. Government functionaries played a larger role in the redistribution program. The main areas not done by the Derg were in Shire, where the TPLF was active by 1976, and some limited areas in Tembien.

Today, these land distributions are described by almost everyone as unfair and arbitrary. This is not surprising, since the Derg was widely hated in Tigray in its later years, but the reasons adduced are instructive. Usually land was not measured, and a lottery was not used to avoid favoritism. The redistributions were not general, but would often target particular large holders and take land from them for land-poor members of the community. It was said that if a large holder supported the government, the reallocations were token, and that those who received the land were friends of the allocators. The allocators were chosen by each community and went on a training program. "They taught them to be unfair," said one group of farmers.

By 1979, implementation of the land reform by the Derg in the rest of northern Ethiopia began to move onto a more comprehensive, systematic basis (Alula Abate and Tesfaye Teklu 1980). But in Tigray, the Derg was by that time contending with a spreading insurrection involving the TPLF, EDU, and EPRP. By the early 1980s, the security situation had worsened and drought and famine intervened, shifting attention to a very different solution to the "land problem": forced resettlement to southern Ethiopia.

Land redistribution was a key element in the TPLF's program from the front's inception in 1975. At the outset, in the areas of Shire and Axum in western Tigray over which the TPLF first gained control in 1976-78, their land distributions are said to have been rough and imprecise, and sometimes had to be repeated. For a slightly later period, we have a contemporary account (Tekeste Agazi 1983) of the process of land redistribution in the district of Adi-Nebried in Shire, a district which had seen protracted conflict between the TPLF and the EDU, which opposed land reform. In October 1981, TPLF cadres went into the district with draft rules of agrarian reform developed at a regional meeting. Agitation of middle and poor peasants took place through public meetings and dramas. Cadres met separately with groups likely to support the reform, such as the poorer peasants, and campaigned for the election of reform-minded delegates to a district-level conference to make local rules for the redistribution. A similar process was carried out at a more local level to elect committees to implement the reform. TPLF cadres sought to intimidate "feudal" elements who were trying to block the reform by organizing opposition outside the TPLF's political process.

Most of Tigray did not experience TPLF land redistributions until after 1989 and the military collapse of the Derg in Tigray. Between 1989 and 1992, almost all communities in Tigray had a TPLF-sponsored redistribution. In most communities the Derg had already conducted redistributions and eliminated or undermined the influence of traditional elites and the larger landholders. Politically, most former large holders blame the Derg, not the TPLF, for the loss of their land. With the political ascendancy gained by pro-redistribution elements, committees were elected at parish or subparish level to actually carry out the distribution. A census would be taken, and the amount of arable land calculated. A "share" (*gibri*), the amount which each adult should receive, would then be defined, and was usually stated as a length and width (e.g., 25 meters \times 50 meters), and often in multiples of 25 because a 25-meter rope was used for measurement. Each adult, (men over 24 and women over 17) received 1 share. Additional fractional shares were allocated for children over 2 or

3 years of age, usually $\frac{1}{4}$ share for every two children up to a full share for eight children. In some localities all the shares were the same size. In others, poorer quality land was divided into larger shares, better land into smaller shares, with specified dimensions for fertile, average, and poor land. Shares were allocated by lottery, in a manner which minimized fragmentation of the holding. (See section 2.1.5, Fragmentation and subdivision, p. 28.)

In Wello, EPRDF cadres utilized the patterns for land reform developed by the TPLF in Tigray. In 1990, we were told, land reforms were carried out in parts of old Wello and Gondar provinces, and in some areas in Northern Shoa including Menz. Our most detailed description comes from Borana in Wello, where the EPRDF took control in October 1990. Teferi Abate (1993) describes the process whereby EPRDF cadres, through a series of conferences at *awraja* level and election of local committees, carried out land redistribution. There are evident similarities to the Tigray process, but results were not always the same. The criteria for calculating shares for children seem to have been received with concern by many with large families in Wello. There were numerous complaints about favoritism in the process, alleging incorrect land measurements, inconsistency in judgments about fertility, and rules which permitted a discretion which the land allocators abused. Another complaint heard was that nonfarming individuals from towns, including both poor women and minor officials in the new regime, had received land and that in some instances they have given it to tenants. We were not able to assess the magnitude of the phenomenon, though it had been reported in some areas of Tigray as well. A report on land redistribution in Meket *woreda* in northern Wello paints a similar picture though in less detail (personal communication, Paul Laird).

In the south, redistributions after the fall of the Derg seem to have been fairly limited in scope and to have involved land which had been in collective production in peasant associations or in state farms. In Arssi, a PA was visited which had abolished its cooperative, pooled that land with all other land in the PA, then divided the land among all PA members. In Heruta *woreda*, Furusa PA and Etosa PA took irrigated land which had been farmed as a production cooperative, and divided it among all members of the PAs. Family size was used as the criterion for the size of shares allocated. At Bulardo PA in Wurch Zone, the production cooperative's land was divided only among the former members of the PC, and there is continuing discontent about this among other PA members. We were told of other cases in which those who had held land prior to it being placed under collective production were given priority. The process may depend in part on the land allocation arrangements made by the PA at the time collective production was initiated, and in part on the current distribution of political influence.

Substantial land from state farms has been allocated to or appropriated by smallholders. At a site on the Wabi River, where massive resettlement had taken place to accommodate several large state farms and a seed multiplication station, 300 hectares were allocated to local people and distributed to young married couples and to those returning after the end of the war. Another 300 hectares were taken without permission of the state farm, but apparently with OPDO backing. Near Asassa, a 1,600-hectare seed multiplication center gave local farmers 700 hectares after the EPRDF liberation; the farmers later took another 300

hectares. Merchants are emerging as competitors for this land, seeking to begin tractor cultivation on a commercial scale through contracts with groups of farmers. At Ardita State Farm in the same area, 3,000 hectares were distributed evenly among twelve adjoining peasant associations. In the Humera lowlands of western Tigray, former state farm land has been distributed, 9/10 under concession to commercial farmers and 1/10 to peasant farmers.

Boxes 4 and 5 examine the cases of Fita Peasant Association and Bulado Peasant Association in Arssi, where farmers have gained access to land through the distribution of PC and state farm land.

Nationwide, pressure for new redistributions comes for the most part from new households. The simple mathematics of population growth and land scarcity require redistribution if all are to be accommodated. Government has also urged local communities to provide land to soldiers returned from the war. There are large numbers of soldiers returning to some areas, such as Wollaita, and they have received land. In Wollaita, people cited the fear of banditry if the soldiers were not given land. In other areas, such as Goma *woreda* in Jimma, soldiers took the inputs provided for them and sold them. They did not seriously seek to reestablish themselves as farmers. In spite of these changes, most land in the south is still held by the same peasant households who cultivated it under the Derg. In most areas, there has been considerable stability. Wollaita is probably representative in that while PC land was redistributed after 1990, the vast majority of peasant holdings go back to the last full-scale land redistributions in the late 1970s.

The Derg brought an end to generalized reallocations in most of the country in 1989. The EPRDF has confirmed this policy, calling for a suspension of redistributions. There is a widespread appreciation that repeated redistributions create insecurity, that it is difficult to achieve fairness in such redistributions, and even more difficult to convince people that the process has been fair. In many parts of the country, where no reallocations have taken place recently, children are succeeding to their parents' land and de facto inheritance is taking place.

Box 4 Access to land in an Arssi Peasant Association

The peasant association is located on a fertile, rolling plain near Lole State Farm in Sagure *woreda*, Arssi. It has 218 registered households, the majority of which are Moslem Arssi Oromo. The rest are Christian Oromo settlers from Shoa who complain that they are being harassed by Moslem men who would like them to give up their land and leave. Before the revolution most residents were sharecropping tenants of landlords who held their land as Mahil Sefari or soldier's land. After the revolution many of the smallholder landlords remained, farming the land allotted to them by the committee. In 1977 (Ethiopian Calendar) a production cooperative was formed with an initial membership of 58 households which eventually reached 110. When the cooperative was disbanded its land, along with all the land in the association, was divided and redistributed among all households, on the basis of one hectare each for the husband and wife, and 1/8 hectare for each child. The association was also villagized. Few households have left. The major crop grown today is wheat, followed by barley and pulses. Farmers say that they favor wheat partly because it can be harvested by combine under contracts made between groups of farmers and the machine operator.

In 1984 and 1985 EC, 240 requests for land were made to the committee, 174 from youths (unmarried or married but living with their parents) and 66 by returning soldiers. One hundred and three of them received land, 56 soldiers and 47 youths. It was said that the very high number of youths was due to the fact that many young men had run away during the last years of the war to escape conscription. The land distributed came from two sources. Fifty-five hectares was the association's share of the 600 hectares taken from Lole State Farm and distributed among 8 associations by the *woreda* government. The remainder was from the communal pasture created at the time of villagization. Today only privately held pasture remains. The association did not have a community woodlot.

Today land is cultivated by owner-operators under sharecropping arrangements, by contracting tractor service for soil preparation and harvesting, and by leasing it to town-based merchants. Fees for tractor service have risen this year and contractual arrangements, especially with representatives of the state tractor service, are the source of much complaint and anxiety. People report that they cannot buy and sell agricultural land, but that there is a lively market for house plots in the village. Shortly before our visit, farmers from Fita and adjacent villages told representatives from the *woreda* office of the Ministry of Finance that they would like to pay their land tax (to establish their claims to the land), but would do so only after the government divided and distributed the land fairly. For the most part trees are being planted only on homesteads. One enterprising farmer, however, is raising eucalyptus trees and planting them on the boundaries of his land parcels closest to the village on the grounds that doing so will help him hold on to them if there is another land division. In any case, he hopes the committee will allocate to him the land he now holds for his grown sons, whom he has registered as claimants for land.

Box 5 Access to land in Bulado

The peasant association in Digelu *woreda*, Arssi, lies on the slope of a mountain massif at the uppermost limit of agriculture, on the edge of the cold *wurch* zone. A majority of its 310 households send livestock to temporary camps on an annual transhumant basis. Barley is the staple crop, planted between the last great sentinels of the natural cedar forest that once covered the ground. During the Derg rule some of the members formed a production cooperative which appropriated a large share of the association's best land. When the cooperative was abolished, its members divided its land amongst themselves and did not share it with its former holders or other members of the community. Approximately 25 youths have registered for land with the association. Most of the association's returning soldiers were able to get some land from their families or the association leaders. Some who were drafted, but did not see fighting, were denied any land. Today, peasants who were not members of the production cooperative complain bitterly that they do not have a fair share of the land. Increasingly, young men are working as day laborers for their more fortunate neighbors and seeking seasonal employment on state farms.

But there is also a sense that new claimants must be accommodated. In Tigray, the TPLF/EPRDF redistributions took place before some families had a chance to return to their place of origin. Large numbers are returning from the resettlement areas in the south to their home villages in southern Tigray. Most of the refugees in the Sudan have yet to return. The regional government is hoping to avoid another round of generalized redistribution by settling some of the returnees in less-densely settled areas of Shire, Tembien, and Wolkait. Everywhere, a new generation of young married couples are farming their parents' land, waiting for land of their own. Soldiers are still returning to some communities.

In one PA in Arssi, we found 300 new claimants for land whose needs had to be met. A PA of roughly 200 households in southeastern Tigray had 107 claimants waiting. As their numbers increase, so will pressures within the community for reallocation of land. At the same time, new political organizations coming into power will be tempted to use the land reallocation mechanism to remedy past injustices and satisfy the demand for land. In so doing, they would build their political constituency.

There is a fundamental contradiction here, one which is familiar to those who know the experience of land reform beneficiaries elsewhere. There is a demand from those not yet satisfied for a final, "fair" redistribution, after which it is suggested that there will be no further need for redistribution. But new claimants keep appearing, to whom last year's "fair" allocation seems manifestly unfair, and the pressures build again and again. Any solution must involve a mechanism for absorbing such new claimants, especially new couples, or a radical departure from the assumption that all households must have the same amount of land.

Access to land can serve as a safety net, but it is also a commercial opportunity. Redistribution policies followed in recent years have maximized the former function but limited the latter, constraining the access of more efficient peasant farmers to additional land except through the rental market. Critical policy issues are posed, issues which research could help resolve.

Issues:

- ▶ How great is the difference between efficiency of land use as between different categories of users by size and tenure?
- ▶ Are important opportunities for commercialization being sacrificed?
- ▶ How far is the rental market compensating for the lack of a market in ownership rights, providing more efficient farmers with an opportunity for expansion?
- ▶ What are rural attitudes toward inheritance and land transactions?
- ▶ Do reallocation criteria which award more land to families with more children work against population control programs?
- ▶ Are there alternative safety-net mechanisms for the rural poor?

2.1.5 FRAGMENTATION AND SUBDIVISION

Fragmentation of holdings exists where a household has several different parcels of land. Subdivision refers to the process by which parcels of land are broken up into ever-smaller parcels, sometimes through sale but usually through inheritance. In a land tenure system where parcels have become very small through progressive subdivision, a household will likely need several to constitute a viable farm.

Fragmentation has been argued by economists to result in inefficiencies in farming, through both inefficient use of human labor and scarcity of capital goods such as plow oxen. Too much time and energy are wasted, it is suggested, traveling between parcels. The efficiency impacts obviously tend to increase with the number of parcels and their distance from one another. It has been pointed out, on the other hand, that farmers sometimes prefer to have more than one piece of land, primarily as a strategy to minimize risk through access to different soils and microclimates (King and Burton 1982). After land consolidation in Kenya, farmers in some areas recreated fragmentation through exchanges of parts of their consolidated holdings (Haugerude 1983). Where a more efficient farmer acquires land through the market, the fragmentation may be a minor cost relative to having access to more land. In fact, there are no studies anywhere that adequately assess in economic terms both the positive and the negative impacts of fragmentation. Generalizations need to be treated with caution.

Fragmentation was cited as a problem under the *rist* system. Often a household realized several land claims each of which was based on a different line of descent, which resulted in its holding parcels in each of those ancestor's original estates. But the best of our evidence is that inheritance systems do not lead automatically to subdivision, though some may tend that way more than others. The degree of fragmentation is also determined by

indigenous notions of equality and by a conscious assessment of its pros and cons in a given situation. In addition, the seriousness of any inefficiencies created by fragmentation needs to be assessed in a particular context. In the Ethiopian context, it was never clear that fragmentation curbed production since there were often other, more binding constraints.

The redistributions by peasant associations after 1975 did not do away with fragmentation. Often, several grades of land with different capabilities were distributed by the PA. The rigorously egalitarian ethos of the time usually required that the land of the PA be divided into several blocks of different quality, and each family receive some land within each block. It is easy to tell horror stories about fragmentation, saying that a household might have "as many as x parcels," acting as if this were the norm. One careful study of fragmentation suggests an average of 3 parcels in the localities studied, which is not very high by international standards. It concludes that redistributions under the Derg decreased fragmentation and that fragmentation has grown slowly in the years following the reforms, through 1978 (Fassil Gebre-Kiros 1980). LUPRD studies in four regions found fragmentation somewhat higher: Borkena study area in Wello, 3-5; Bichena study area (Gojam), 5-6; Bossaina study area (Shoa), 3-7; Menagesha study area (Shoa), 3-7 (personal communication, Gezachew Abegaz).

As much as this issue has exercised tenure specialists and commentators on the land reform, we did not find it at the forefront in the minds of farmers. It is, after all, a matter which each community had within its control at the time of the land redistribution. Access to different land types may have seemed more important than a consolidated holding. Where a community wants to reduce fragmentation, there are methods of land division which can do so.

For example, in the many recent reallocations in Tigray, land shares were defined so that larger shares of poor land balanced smaller shares of fertile land. In some communities a share of poor land was two or three times the size of a share of fertile land. Some ranges encountered in different parts of Tigray included (in meters): 30 × 70 (fertile), 45 × 70 (average), and 60 × 70 (poor); 25 × 50 (fertile) and 30 × 50 (average/poor); and 50 × 50 (fertile), 50 × 75 (average), and 75 × 100 (poor). This reduced the need for each household to hold land in several areas but did not necessarily eliminate it altogether, depending of course on how great the differences in soils and cultivation conditions were within a given PA.

In these cases the allocation began by confirming the land around each house to its owner, but making adjustments to ensure that all houses had adequate, comparable land attached to them. "The reallocations started at our house plots," said peasants approvingly. The PA was then divided into several blocks of shares, each one divided by lottery only among those who lived in the neighborhood. Details varied from one community to another, but usually a household ended up holding only two or three parcels, all close to the residence.

Even a commentator as aware of the disadvantages of repeated redistribution as Fassil Gebre-Kiros (1980) has argued for yet another redistribution to consolidate holdings. An

alternative may be transactions in land such as exchanges or rentals, which can consolidate the "operated holding" (land actually farmed by the household), if not the "owned holding." But we have no clear information as yet on the impact of transactions in this regard.

Issues:

- ▶ Have holdings become too small to be further subdivided, or are there still potentials for intensification?
- ▶ Does having several parcels really result in significant wasted time and inefficient use of resources such as plow oxen?
- ▶ To what extent does access to different land types have economic benefits which outweigh such inefficiencies in labor and asset use as may exist?
- ▶ How far do land exchanges and sharecropping mitigate or exacerbate any negative effects of fragmentation?
- ▶ How would a land market likely affect levels of fragmentation?

2.1.6 SECURITY OF TENURE AND INVESTMENT

Ethiopian farmers' belief that their access to particular parcels of land is insecure undoubtedly has the overall effect of discouraging investments in multiyear soil improvement and conservation measures. The negative effect of insecure tenure is also taken as axiomatic in many official documents concerned with land use, agroforestry, and conservation. Nevertheless, it is surprisingly difficult to assess the magnitude of the problem in the diverse contexts of peasant agriculture in present-day Ethiopia. Evidence is scarce, circumstantial, and often hard to interpret. Even in circumstances where perceived insecurity is a potential limitation on investment, it may not be the binding constraint. Low and unreliable farm-gate prices, the high cost of inputs, and risk of crop failure may, for example, in themselves preclude investment. In addition, evidence from Ethiopia and other African countries indicates that peasants often make investments such as tree planting precisely to increase the security of their claims to the land in question, though under these circumstances the investments may not be "rational" from an economic or environmental perspective. Investment strategies of this type are often associated with land tenure situations like that of Ethiopia, in which only improvements, and not the land itself, are recognized to have value.

Tree planting. It is clear that under the Derg, the belief that trees belonged to the state and the poor definition of tenure rights in community woodlots provided little incentive for planting and maintaining trees (CRDA 1990). In some areas overzealous PA officials even fined peasants for cutting trees they had planted around their homestead in the belief that all trees belonged to the state (Poluha 1989). Today, however, tenure insecurity does not seem to be preventing peasants from planting trees on and around their homestead in any area we visited, though one man said he would not plant fruit trees because he thought he might be moved again. Indeed, some individuals reported they were planting trees to strengthen their hold over land. (See Box 4, p. 26).

Many farmers are still reluctant to plant trees on land away from their homestead. In the northern highlands most trees are planted around the family holding. Few trees appear to be planted on households' outlying fields, which farmers think they are most likely to lose in future redivision. In Dega Damot, Gojjam, farmers said that they were forbidden to plant trees on these fields by the association because it would establish a claim on them. It should be noted that in Dega Damot, as in many other areas, especially away from the road, it is more convenient to grow trees on the homestead, where they are used for fuel and construction. In Wollaita, by contrast, tree planting is not confined to the homestead. Near Asela in Arssi we observed a large field planted entirely in eucalyptus, reportedly as a risky venture by the landholder. This was exceptional.

Soil conservation. It is often suggested that peasants are reluctant to invest time and labor in terracing and bunding their land, as recommended for soil conservation, because they lack secure tenure (Stahl 1990). This may prove to be the case; however, recent research by the Soil Conservation Unit suggests that there may be other more important reasons. The carefully controlled study found that bunding and terracing actually lower production from 15 to 20 percent under many conditions and thus are likely to be unattractive to poor farmers regardless of tenure security (Herweg 1993). Extensive physical conservation works are still being carried out as community efforts in Tigray, actively promoted by the regional government. In light of the new evidence on their production effects when they involve construction on fields, these activities need to be carefully scrutinized.

Soil improvement. Highland farmers are aware of many techniques that improve soils on a multiyear basis, including fertilization with manure, ashes, and household refuse, mulching, and raising leguminous crops. This knowledge is reflected in some multiyear tenancy agreements which specify that the tenant will improve the soil, paying the normal rent for unimproved land at first and a higher portion of the crop as rent in the later years of the contract (Aspen 1993).

Improvement techniques are generally used on fields close to the homestead. While many farmers said they would be reluctant to invest in improving their outlying fields because of insecurity, there are many other practical reasons why farmers prefer to grow higher value crops near their homesteads. Indeed, this pattern could be observed before the revolution.

Overall, the relationship between tenure, perceived insecurity of access to particular fields, and investment is important and unclear and urgently requires further in-depth study.

Issues:

- ▶ In different regions and areas what forms of long-term investments in land do farmers recognize (e.g., tree planting, soil conservation, soil improvement, irrigation, making broad beds on vertisols)?
- ▶ Under what circumstances and by what kind of households are these investments being made?
- ▶ From the perspective of households with differing land, labor, and capital endowments, what are the costs and benefits of making these investments?

- In what ways do peasants' assessments of land tenure security affect their investment choices?

2.2 OTHER PRODUCTION CONTEXTS

2.2.1 LAND ENDOWMENTS

Neither large ecclesiastical institutions, the *debre* and *geddam*, nor local parish churches have regained the extensive land rights they lost during the Derg land reform. They retain only the churchyard and adjacent lands, seldom exceeding 15 hectares, which is used by or for the benefit of the clergy. To replace lost revenue from land, churches were given fixed contributions from their parishioners, supplemented by fees for ritual services, gifts, and small payments to clerics from the central church. Under the Derg and today, communities wishing to establish a new church must convince the higher church authorities that it will not reduce the revenues of existing churches and endow the new church with 15 hectares of arable land for its support.

While the church-land issue was not seen as central in many parts of the country—or at least not as an issue separate from that of landlordism generally—in Tigray it assumed special importance because of the large monastery landholdings. The monasteries were the biggest landlords in Tigray, possessing both considerable owned land under imperial grants and even more extensive tax-farming rights. The vesting of their land in their tenants by the 1975 reform has had a profound impact. The TPLF has attempted to work closely with church institutions, but only to ensure that the monks' basic needs can be met. (See Box 6.)

Schools, adult education centers, and rural clinics appear to have kept the land endowments they were given under the Derg and to rely on them to supplement their revenue. In some areas lands taken by the MOA for research and extension have been repossessed with and without government sanction. The rights of a number of nonprofit organizations to land they were allocated under the Derg have also been contested.

2.2.2 LARGE-SCALE COMMERCIAL AGRICULTURE AND ACCESS TO LAND

The TGE is committed to promoting large-scale private investment in agriculture. This will undoubtedly mean a return to mechanized commercial farming, which the previous regime strongly opposed, at least until the mixed economy initiatives of 1990. Large-scale commercial agriculture, which emerged as a potential alternative to smallholder enterprise in the late 1960s, has had a checkered history; while it has often been credited with opening up "unutilized land" for cultivation, providing off-season employment to peasants, and making some contributions to the country's export drive, it has also been faulted for land-grabbing, and for large-scale eviction of peasants from the land. Its supporters, which in the prerevolution period included the country's main aid donors, saw it as the spearhead of agricultural modernization while its critics regarded it as an exploitative force in the rural areas and a potential source of agrarian conflict.

Box 6 Monks' land at Debra Benkual

The monastery of Debra Benkual in Tach Maichew *woreda*, west of Axum, once held extensive lands. The monks have been allowed to retain only 20 *tsimdi* of land near the monastery. The land was not measured. Each monk is considered entitled to 1 *tsimdi* (the amount of land a pair of oxen can plow in a day). There are currently sixty-three monks, forty candidates, and some small boys who carry water. Only twenty have received land because they have to prove that they have not been allocated land in their distant areas of origin.

The land they have retained was *grat kahinat* before the revolution, land which the monastery owned outright rather than having tax-farming rights over it. The individual allocations are now pooled for cultivation by some of the younger members under supervision of the monastery's steward. The monastery lacks oxen and adequate water source to support a herd, so some of the land is given to farmers who have oxen, for cultivation on a sharecropping basis.

The monks say that young men, including war orphans, continue to come to them in large numbers. Because of the shortage of food, especially in bad years, some monks have left the monastery to become mendicants. Last year the government waived the land use fee and agricultural income tax because a hailstorm had damaged their crops.

The controversy centered on the issue of access to land and other resources (water, forest products, etc.). Policy planners, commercial farmers, and many in the donor community were of the opinion that the country possessed vast *unutilized* or *underutilized* resources which could be employed for extensive mechanized farming or large-scale resettlement without involving heavy capital investment or depriving the communities concerned of access to their traditional means of livelihood. Both the imperial regime and the military government were so strongly wedded to this view that the question whether such vast *unutilized* resources were indeed freely available was not seriously pursued at the time.

What is meant by "unutilized" or "underutilized" resources, who defines them, and under what conditions should they be available for private investment, resettlement, or other large-scale initiatives? These questions raise complex issues regarding the nature of existing agricultural and livestock production systems, systems of land-use and environmental management, forms of customary tenure and tenure of common-property resources, and systems of social and political relations within the communities concerned. The questions are not solely agro-economic, but spill over into the social and political spheres as well. During the Derg regime, decision-makers regarded all land which did not appear to be under cultivation at a given time as un- or underutilized, while under the imperial regime all land which fell under government ownership (mostly by virtue of the principle of "eminent domain") was considered alienable for large-scale investment activities. In both instances,

the surrounding peasantry was neither consulted nor required to give its views regarding enterprises planned or undertaken in its community. Both the unilateral alienation of land said to be unutilized by governments or their agents in the field, as well as the lack of popular participation in the decisions regarding the employment of such land has been the cause of peasants' lack of confidence in central authority.

At present, there does not seem to be a uniform set of rules for acquiring land for large-scale farming by private interests, nor is there a central office for this purpose. It is also safe to say that neither the government nor others quite know how much land is available for development and where such land is located (outside of state farm holdings). The agricultural investment bureau, which has branches in many parts of the country, is supposed to provide useful information on land and investment opportunities to the private sector, but the office is unable to carry out its tasks for a variety of reasons. (See Box 7.) The common, "unofficial" practice at present is for investors to approach influential people in the regional governments in person and strike up a deal without involving other authorities. This "private-access" approach is open to corruption and improprieties. Alternatively, the regional governments have opened up potential farm areas to private investors on their own initiatives. The regional government in Tigray, for example, has a program of providing land to commercial farmers in Tigray. (See Box 8.)

Box 7 Land for investors in Arssi

In the last period of Derg rule, the investment office in Asela was responsible for making land available to commercial farmers. Under the procedures established for this purpose investors could obtain land by reaching an agreement with a PA and registering it with the *awraja* or by applying directly to the investment office, which had a register of "unused land." Prior to the collapse of the Derg, the office had 45 applications for land. Fifteen of these were for association land, mostly for livestock fattening enterprises. A majority of the other claims were filed by city dwellers who wanted land for vegetable gardens around the edge of town. In all, 21 of the 45 applicants received land. Following the transition the investment office had no clear guidelines concerning capitalization, farm size, or procedures. At the time of our field visit in April 1993, neither the central nor regional government had established clear guidelines on how commercial farmers were to obtain land. In recognition that there is no clear record of available, unused land, the Ministry of Natural Resources was considering guidelines under which each PA would be asked to fill in a questionnaire concerning its land resources. This information would be compiled at the *woreda*, zone, and regional level, and passed to the Ethiopian Investment Bureau in Addis Ababa. After the data are centrally processed they would be made available to regional and zonal administrative offices where investors could file their requests for land.

Box 8 Commercial farming in Humera

The lowlands of Humera, recently annexed to region 1, were in the prerevolutionary years a focus of commercial agriculture in northern Ethiopia. Merchants from major urban centers specialized in mechanized cultivation of sorghum on irrigated holdings. During the period of the Derg, most of this land was in state farms. The regional government has moved quickly to formulate a land policy for the area, one of the few in Tigray well suited to large-scale mechanized production.

This land has been earmarked for large-scale farmers. Only 10 percent of the land area has been allocated to smallholders, in holdings of 10 hectares and less. Applicants for land have come from Asmara, Gondar, Makelle, and the Sudan. They have been required to prove the ability to invest \$1,800/hectare. Over 500 applications were received, and 14 have been allocated land totalling 15,560 hectares. The 14 have 12 tractors among them. This year only 3,908 hectares were placed under cultivation due to lack of fuel and infrastructure. There have also been price problems. This has been a good crop year. Last year sorghum was birr 35/quintal but it is now 25/quintal. Transport from the west of Tigray toward population centers to the east is expensive because the bridge over the Tekaze River is still down. Transport costs to Makelle exceed the current price. To date, no charges have been made for the use of the land, but once the economics of production in the area is clearer, land use charges will be imposed.

The policy is consistent with the general outlines in the economic policy document issued by the transitional government. But the policy was developed locally, based on a proposal developed by the (then) regional Ministry of Agriculture and Natural Resources. The regional council has four standing committees, one of which deals with economic development. One member of that committee is specifically responsible for oversight of the Ministry of Agriculture, another for the Ministry of Natural Resources, Development, and Environmental Protection. Their predecessors, before the two ministries were created out of the old Ministry of Agriculture and Natural Resources, worked with ministry staff in preparing the policy. The proposal was presented to the economic development committee, which forwarded it to the regional council, where it received final approval. It did not need to be referred to Addis Ababa.

In view of the unhappy experiences of the past with large-scale agriculture it may be wise to adopt a skeptical attitude towards its rapid expansion.

Issues:

- ▶ Does Ethiopia have potential resources which are un- or underutilized?
- ▶ What exactly is meant by a potential resource and how does one measure underutilization?
- ▶ Is a given land used as grazing land, a source of fuelwood, forest products, water, famine foods or medicinal plants, or other products of value to the community?
- ▶ Is it of particular religious or cultural significance to the surrounding peasantry?

- ▶ Can the land be exploited with either the indigenous technology of the average peasantry or with affordable modern technology, or does it require large investments and high technological inputs?
- ▶ Will the land have to be shared with populations already living there, and if so have adequate arrangements been made to benefit the communities in question?
- ▶ What will be the impact on the environment, wildlife, and the future sustainability of the given ecosystem of bringing such land under utilization?

2.2.3 STATE FARMS

Formally launched in 1977, state agriculture was given the task of alleviating the country's food shortages, providing raw materials for agroindustrial enterprises, and contributing to the expansion of agricultural exports. Initially, state farms inherited the expropriated property of commercial agriculture (as well as some of its debts), but subsequent expansion, consisting of large-scale forest clearing, extended the area under cultivation and the regions of its operations. The Derg was strongly committed to state agriculture which it saw as one of the twin pillars of agrarian socialism, and all through the 1980s large investments were poured into the enterprises which were scattered throughout most of the country; however, the operations continued to suffer losses on a grand scale and to be grossly inefficient. Moreover, state farms' land-use practices and farming methods were so reckless and environmentally damaging that the Ministry of State Farms Development (MSFD) was forced to abandon several farming enterprises due to soil exhaustion and other harmful consequences. Finally, state agriculture did not live up to the government's expectations with regard to food security or foreign export earnings.

The TGE's attitude on state farms may be characterized as cautious uncertainty. While in part of Bale and Arssi some land belonging to state farms has been turned over to peasants, the earlier option of completely dismantling state agriculture is no longer in consideration. Instead, the option currently in favor is to dispose of unprofitable farm enterprises, to reorganize state agriculture to continue operations efficiently and profitably, and to encourage private capital to run large-scale operations. According to information obtained from state farms, 10,000 hectares of irrigated land were given back to the Afar regional government; over 5,000 hectares of land in Arssi and 25,000 hectares in Bale were turned over to the regional authorities for distribution to peasants or other use. The rest of state farm property—estimated to be about 200,000 hectares—has not yet been disposed of, pending decisions on the divestment of state agriculture which includes land managed by the Ministry of Coffee and Tea. Some private investors have already acquired concessions in various parts of the country, including Arssi, Gemu Goffa, central Shoa, the Awash Valley, and the Humera basin. In many instances this has taken place as a result of bilateral agreements between the private investor and the regional administrations, without involving the central government.

2.2.4 COMMUNITY FORESTRY

The Derg's forestry policy strongly favored state and collective forestry and discouraged individual tree planting. State forestry included all large-scale plantations over 80 hectares, and these plantations were off-limits to all peasants. Community forestry on the other hand referred to all trees planted on common land and was aimed at meeting the needs of the communities concerned. In theory, community forests belonged to the communities on whose land the trees were grown, and the peasants were entitled to harvest the plantations for their use. What occurred in practice, however, was quite different. To begin with, the tenure issue was never satisfactorily resolved and peasants were not confident that the trees on their community lands belonged to them. On occasion, community forests were reclassified as belonging to the state or handed over to cooperatives. Thus individual peasants did not benefit from community forestry except perhaps through illegal forms of cutting and gathering. Similarly, the MOA managed large-scale catchment protection forestry which was often enclosed to keep out cattle and humans to allow the areas to regenerate. Occasionally, peasants were allowed to harvest the grass on a cut-and-carry basis. On the other hand, due to state policy and because of the insecurity of land and tree tenure, peasants were often unwilling to plant trees on their plots.

With the abandonment of the Derg forestry and conservation policy, extension agents at the local level have actively encouraged individual tree planting, though it appears that the initiative for the venture came originally from peasants themselves. The demand for seedlings is so great at the moment that in many areas the MOA is unable to supply all requests or has closed down its seedling farms. While the land tenure issue has not yet been resolved, and many peasants continue to raise questions regarding the future direction of land policy, it is interesting to observe that individual tree planting has become very popular in many parts of the country. Trees are planted as fencing or windbreaks, in between plots, or on land around the house which is not used for crops or vegetables.

Extension agents in many parts of the country are in favor of the idea of partitioning the commons and hillsides to individuals for tree planting on a use-right basis. The argument is that private tree planting will serve as a conservation measure as well as a source of renewable fuelwood, and private investors will be more responsible and more effective. The proposal is offered as an alternative to community forestry, an alternative which they argue is due to the problems of tenure, plantation management, and harvest distribution faced in community forestry projects.

It is evident that long-term secure tenure rights will promote greater forestry development both at the individual level as well as at the level of corporate or state interests. By contrast, large-scale afforestation by the government or the private sector may pose or be viewed as a threat by individual peasants even under secure tenure regimes. Thus the issue of forest development should be examined from the point of view not only of tenure security, but also of the relationship between large-scale and smallholder operations and of the price mechanisms operating at a given time with regard to wood and wood products.

With the splitting up of the MOA, all responsibility for forestry and soil conservation has been entrusted to the newly formed Ministry of Natural Resources, Development, and Environmental Protection (MNRDEP), which, at the time of writing, was considering a forestry policy and action plan. The thrust of the new policy is to provide an active role for the private sector, and to encourage tree planting by peasant households. The draft policy makes a strong case for secure rights of land and tree tenure for individual households as well as for private or corporate investors.

Issues:

- ▶ Will private ownership of land and trees be permitted?
- ▶ If ownership of land is not permitted, will separate ownership of the trees themselves be possible, and will it provide adequate security?
- ▶ How important a factor is security of tenure as an incentive for tree planting on the holding?
- ▶ In the wake of the collapse of PA forestry efforts, and the distaste of cooperative ventures based on the top-down style of the Derg period, what scope remains for social forestry?
- ▶ To what extent are there forest resources in local communities the management of which cannot be fully individualized, for instance because young trees cannot be guarded from animals except through cooperative arrangements?
- ▶ What institutional arrangements might be workable in such cases?

2.2.5 COMMUNITY PASTURE

Throughout Ethiopia, livestock have relied heavily on pastures, crop residues, the interstices between parcels, and arid savannas near the village. For some communities, seasonal herding of livestock to distant wilderness areas is essential. Very little fodder has been grown on the holding. In some communities, especially in northern Ethiopia, there is community pasture from which the community excludes nonmembers and regulates the use of the resource by its members. Such land is usually managed as a commons, but where the pasture receives water regularly from a stream, it may be divided into shares for households and periodically redivided by lottery. Where there was a managed community pasture, the PAs succeeded to the management of these resources. Such resources were always under pressure from neighboring farmers, who would try to push the boundaries of their fields into the pasture.

After the revolution, pressures generated by the reforms to find enough land for everyone, to establish villages, and to accommodate PCs led to the subdivision of pasture for farming in many areas. In the 1980s community forestry and hill closures for reforestation also reduced pastureland, in some instances creating hardship for livestock owners and overgrazing on remaining pasture (Poluha 1989; Stahl 1990). On the other hand, in some areas, including areas we visited in Dega Damot and Tigray, the PA provided a strong management organization, and the pastures do not seem to have been much reduced, though it is difficult to say whether this is due to good management or the unsuitability of the land for farming. (Many pastures are located on very wet vertisols.)

Changes may have been more significant with respect to land which had stretched between villages and had been open to all for grazing. The PA program aspired to bring virtually all land under some PA, and it seems that this assertion of exclusive rights may have had important repercussions for access to browse.

Since the fall of the Derg there have been important changes in pastureland use in many areas. For example, in Tigray an extensive program of hillside reforestation has closed substantial areas of admittedly poor grazing to livestock. At the moment, livestock numbers are down as a result of the war, but if they recover there will need to be a strategy to provide fodder from other sources. It is not clear that growing fodder is a workable option given the limited amount of cultivable land. Consideration may need to be given to switching the reforestation program away from eucalyptus and fir trees to trees whose leaves have value as fodder and which promote rather than discourage secondary growth which livestock can browse. In areas as diverse as eastern Gojjam and Arsi we encountered the complaint by peasants that pastureland had been plowed up after the collapse of the Derg both by individuals without permission and by communities to provide land for returnees.

There are important questions to be answered, and they are especially acute for the densely populated highland areas which depend on ox-drawn plowing.

Issues:

- ▶ What is the future of communal grazing, and how well are local communities organized to manage the sustainable use of this pasture resource?
- ▶ How can land use be intensified to produce sufficient food and at the same time preserve fragile ecologies, already under serious stress?
- ▶ How far do on-farm soil conservation structures help, and do their benefits in fact outweigh the loss of the land they occupy?
- ▶ Can agroforestry strategies be designed for the relatively arid regions which can provide fodder as well as green manure?

2.2.6 PASTORALIST LAND TENURE

Pastoralists occupy approximately 60 percent of Ethiopia (most of the lowlands below 1,700 meters), and their 15 main groups comprise an estimated 10 percent of the country's population. In the past they have been economically, socially, culturally, and politically, as well as geographically marginalized. Only in the northeast have they been significantly integrated into the national economy. They were generally viewed from the center as inefficient land users, wandering about with their livestock, to which they were sentimentally attached, and inevitably degrading the range by overstocking. Relations between government authorities and pastoral groups were frequently characterized by ignorance, mutual suspicion, and hostility.

This situation was reflected in government policy concerning pastoralists' rights to pasture and water resources, policy which was never clearly defined or seen as central to

national development objectives. At best, the central government helped to maintain peace between hostile groups and thus provided a framework within which their constituent clans, lineages, and local groups regulated access to pastoral resources according to customary precepts. Pastoralists could not count upon the government to protect their rights to pasture and water they used only seasonally, for, in principle, land that was not cultivated annually was considered to belong to the state before the revolution, and the state-controlled PAs under the Derg. In practice this meant that pasture and water resources could be appropriated, without pastoralists' consent and with little or no compensation, for commercial farms or state enterprises. The most dramatic example of land alienation took place in the Awash Valley, where 50,000 hectares of seasonally flooded prime land used by the Afar for dry-season pasture were taken for irrigated cotton production. In less-developed pastoralist areas land and water alienation have also taken place, but on a smaller scale.

The effect of the transition on pastoralists' access to land has been mixed. Under pressure from the new regional government, 10,000 hectares of irrigated state farm land in the Awash Valley have been given to the Afar regional government, used during the past season to raise maize with assistance from the central government. The distribution of the benefits of this activity and the ultimate disposition of the irrigated land are unclear, but it is reported that competing claims for it are being made by individuals, commercial enterprises, and clans. There are also reports of pastoralists forcibly re-occupying their former lands in this region.

In many other pastoral areas in the south and southwest, the collapse of the Derg was accompanied by a marked increase in intergroup conflict over cattle, water points, and therefore grazing rights. (See Box 9.) Raiding between the Borana (who acquired a sizable arms cache abandoned by the Derg) and their neighbors the Gabra (who had been given arms and training by the Derg authorities), the Somali Abo, and the Gujji, caused the Borana to concentrate with their herds in the center of their territory from Mega to Moyale. When drought struck and livestock prices fell in relation to crops in 1991/92, they lost an estimated 90 percent of their herds, far more than they had lost in earlier droughts of comparable severity. Since the drought they remain concentrated around food distribution centers. The land tenure picture is being further complicated by the donor-sponsored "resettlement" of Gabra refugees in the southern part of Borana territory.

Elsewhere there are unresolved land conflicts resulting from the allocation of land to large-scale agriculture. Near Tringole in the Omo River delta, for example, there are continuing conflicts over land rights between the Desenech and an agricultural joint venture by North Korea and the government (personal communication, Marco Basso). There are reportedly a number of other examples in which commercial farms have been established or expanded since the transition, apparently with the consent of local officials, perhaps in the belief that the land was unused. There are also continuing conflicts between officials and local people over the use of land resources in national parks and wildlife reserves.

Box 9 Land enclosures in pastoral areas of the Ogaden

There is an increasing trend toward range enclosure and de facto privatization of rangeland in the Ogaden region of Ethiopia (now Ethiopia's 5th Region). This trend is particularly noticeable along the Fafar and Jerer river valleys. In some part of the region, for example in the Kebri Beyah area near Jijiga, there is no communal or open access grazing left to speak of. In the last fifty years or so it has been entirely privatized. The implications of this process for the rangeland are far-reaching. As land becomes increasingly privatized and enclosed, livestock are shifted out to the more peripheral range areas which remain communal. This has resulted in some cases in increasing pressure on grazing reserves and intertribal conflict. In other cases, pressure to enclose has resulted in internal conflicts between competing subclans of the same clan. In June 1992, two subclans of the Issak clan family fought over the increasing enclosure of land in the Harsein area of the region. It is important that this trend toward range enclosure and de facto privatization be closely monitored and researched. As traditional land tenure arrangements are modified, traditional social and interclan relationships may be transformed.

Richard Hogg, personal communication.

There are grounds for hope that in the future pastoralists' access to vital grazing and water resources will be based on a better understanding of their needs, and their greater participation in resource allocation decisions. Experts and policymakers everywhere in Africa are reassessing old ideas about range ecology, carrying capacity, and pastoral livestock development. In the process they are challenging many of the assumptions on which earlier interventions in pastoral systems were based. (See, for example, Behnke and Scoones 1991; and Hogg 1993.) At the same time, the twin principles of federalism and ethnic self-determination espoused by the transitional government have the potential to create a more flexible and favorable administrative and legal environment for Ethiopia's pastoral groups. Two groups, the Afar and the Somali, have already attained regional status and several more fall within districts.

A proposed project is designed to take advantage of this new opportunity through a program of policy-oriented research and dissemination (Abdel Ghaffar et al. 1993). It is too early to assess whether the potential for improved pastoralist land tenure will be realized, but it is certain that there is an urgent need to investigate pastoral tenure issues during the present formative period.

Issues:

- ▶ How well documented are the seasonal grazing rotational systems of Ethiopia's pastoral and agropastoral groups and their strategies during years of exceptional drought?
- ▶ To what extent, according to what rules, and with what enforcement mechanisms did each group regulate access to common-property resources, including

water and browse over the year? To what extent are these common-property management institutions still functioning?

- ▶ What have been the trends in human and livestock population over the past two decades? What are present trends and their causes?
- ▶ What are presently the major areas of conflict between pastoral groups, what are their causes, and what is being done to resolve these conflicts?
- ▶ What is the nature and extent of encroachment on pastoralists' resources in different parts of the country? What has been the impact of this encroachment on pastoralists' resource use strategy and well-being?
- ▶ What are the attitudes of regional and central authorities towards pastoralists and pastoralism? What is seen to be their role in future economic and social development?
- ▶ How will pastoralists' access to land and water be taken into account by planners when allocating land for future large-scale commercial farming and irrigation schemes?

2.3 MAKING LAND POLICY AND ADMINISTERING LAND

2.3.1 CURRENT SITUATION

The 1991 transitional economic policy of TGE noted that there is no consensus in the transitional government on private or state ownership of land, and stated that this fundamental position is being postponed for decision until after the next national elections, to be resolved in a referendum. (See Box 10.)

The issue has nonetheless been discussed in the context of the new constitution. The constitution will in all likelihood determine the fundamental question of what property rights will be available and what constitutional protection will be extended to rights in land. Land policy has been under discussion in various ministries, in MNRDEP and in MOA. Both ministries have responsibilities in this area under recent legislation on the competencies of ministries, Proclamation No. 43 of 1993, a Proclamation to Define the Powers and Duties of the Central and Regional Executive Organs of the Transitional Government of Ethiopia (*Negarit Gazeta*, Year 52, No. 26, 20 January 1993).

MNRDEP is charged by SECTION 11 with preparing and submitting draft laws concerning the development, protection, and utilization of the country's water, forest, and wildlife resources, and, upon approval, following up and supervising their enforcement. SECTION 42 says that the regional bureaus are to implement the country's natural resource development and environmental policies, and ensure that laws, regulations, and directions issued in relation to the protection, conservation, and utilization of water, forestry, and wildlife development are respected in the regions.

Box 10**On the ownership of land**

There are different views and approaches to rehabilitate and develop peasant agriculture. In recognition of the political and economic problems of land ownership, including the sale and mortgage of land, there is, on the one hand, the view that rural land should remain under state ownership with guaranteed use right, while on the other hand, there is the view that unless land is sold and exchanged the peasant would not be ensured of full guarantees to work land to capacity. Therefore, until the issue is settled by a referendum after the transition period, there will be no changes in the policy of public ownership of land. However, the following measures have to be taken:

1. Assist peasants, when questions arise, to correct the previous discriminatory allocation of land by reallocating land to the landless without discrimination. There will be no further fragmentation of current land holdings.
2. While preventing the sale and mortgage of land, ensure the right of peasants to lease land, to pass it on to kin, to freely sell their produce and hire labor, and to be compensated fully when expropriated.

Source: Transitional Government of Ethiopia, *Ethiopia's Economic Policy during the Transitional Period* / an official translation (Addis Ababa, November 1991).

The MOA organizes peasants and cooperatives (SECTION 21), and the regional agricultural bureaus promote agricultural development based on national policy, ensure that land distribution and use is in line with that policy, and register and support peasant associations and agricultural cooperatives (SECTION 50).

MNRDEP has broad responsibility for a range of natural resource uses, which must be read as including land (though land is not specified) because land-based resources are included. Since much of land policy consists of mediating between demands for land for different uses, MNRDEP seems a logical agency to take the lead in land policy and the reform of land law. On the other hand, it seems clear that MOA is the ministry most directly interested in policy for farmland. Tenure policy for farmland must be framed in relation to policies for sustainable agricultural development. Responsibility for livestock is also within MOA, and tenure policy on pastures must be developed in close collaboration with those working on livestock issues. There are obvious overlaps of responsibility: an acacia woodland is both a forest and a pasture resource.

Other ministries need land for their operations (e.g., land for schools) and have a considerable interest in tenure policy as it affects them. The ministry responsible for state-regional relations will need to be concerned with land policy, as control over land will be a critical factor in the evolving relationship. Urban land policy will need to be coordinated with land policy in other sectors, especially as municipalities expand into farmland.

At present, policy discussions are focusing on the possibility of a leasehold system. In 1989, an FAO consultant prepared for LUPRD, in the then-single Ministry of Agriculture and Natural Resources, a report which outlined in considerable detail a state leasehold system of land tenure. It represented the extent of liberalization which appeared reasonable to expect of the Mengistu regime and was considered an advance because it would have provided landholders with much more clearly specified rights (Singer 1989). Working from that document, a leasehold proposal was prepared by the Ministry of Natural Resources. The TGE has already opted for leasehold tenure in the urban context, under Proclamation 80 of 1993.

Leasehold is a very flexible tenure and can be formulated as very inadequate (brief, conditional, and nontransferable) or relatively secure. If government determines that it will pursue the leasehold option for rural land, there would still be many crucial issues to be resolved.

Issues:

- ▶ What will be the landowning entity of government that makes the lease to farmers: the central government, the regional governments, or the peasant associations? Might this be different for different categories of land?
- ▶ What would the duration of leases be, and how would renewals be handled? Would this vary for different categories of land? Could a perpetual lease, or a lease with rolling horizons, be considered?
- ▶ Would compensation be payable by government where it disturbs a leasehold right? For both the loss of the right and the value of improvements? What would be the basis for calculating compensation?
- ▶ Would the leases be readily transferable and mortgageable? If not, what conditions would be attached?
- ▶ Would development or conservation conditionalities be attached? If so, how would they be evaluated? Would they be enforced through fines or retaking of the parcel by government?

2.3.2 LEADERSHIP AND DECENTRALIZATION

There is a need to clearly designate a responsible central government agency for tenure policy development. This might be within one ministry or at some higher level. Because tenure policy must recognize needs across several ministries, vesting responsibility for tenure policy in an institution with overarching responsibilities (e.g., the Prime Minister's Office or the Ministry of Planning) would appear to make sense. But as the responsibilities for land tenure policy are removed from the line ministries, the basis of decisions tends to become more ideological and less pragmatic.

Perhaps the critical uncertainty in discussions of future policymaking is how far land tenure policy will be decentralized. At this point it is not clear whether the central ministries will be major players in the making and implementation of a national land policy, or cast in the very different role of technical advisors to regional governments which actually make tenure policy. The regional government in Tigray is well along in the creation of a land

tenure policy, and the regional government in Oromia declared itself determined to control land policy and tenure systems in the region.

The critical juncture here is the regional ministry. From whom will it take its instructions and derive its priorities? The answer will be affected by how its budget is provided, and that in turn will depend on the sources of revenue available to central government and regional governments, respectively.

There are dangers implicit in decentralization of land policy, including narrowly nationalistic limitations on access to land which restrict the movement of capital and skills to the regions affected. But there may also be some important payoffs to decentralization. In the past, in the last years of imperial government, parliamentary deliberations on tenure reforms were vastly complicated by the fact that most proposed reforms made sense only in certain parts of the country and were irrelevant and confusing when applied to other areas. There are also advantages to allowing regional experimentation when there is no consensus on tenure policy. Even if land policy is significantly decentralized, however, central government must have the capability to provide expertise, and technical assistance, and to monitor and evaluate the different regional approaches.

Decentralization does not stop at the regional level. We found that most day-to-day land administration remains in the hands of the local PAs. There will undoubtedly be changes in the political constitution of those associations, and perhaps in their organizational structure. We were impressed by the persistence of these local institutions nationwide. The development literature has often cited the inability of most African governments to create effective local land management institutions as a serious constraint on development. Government needs to capitalize on the capability represented by these associations.

Issues:

- ▶ What will be the scope of freedom to make land policy at the regional level?
- ▶ If public ownership of land is retained, will it be vested in central or regional governments?
- ▶ Whatever the formal scope, what will be the nature of the informal give and take between central and regional governments over land policy?
- ▶ How will rights of minorities be affected by greater regional autonomy?
- ▶ How will access to land by foreigners and nationals from other regions be handled, and with what economic impact?
- ▶ Where will regional ministries look for their orders, and how will their activities be funded?
- ▶ Will new regional land administration bureaucracies threaten control of land by the peasant associations and successor institutions at community level?

2.3.3 LAND REGISTRATION AND TAXATION

The system of records of rights in land is an important part of any land administration system. Prior to the 1974 revolution, there were proposals before the government for systematic demarcation, cadastral survey, and registration of titles to land. Framed in the short run to provide secure, marketable titles to areas in southern Ethiopia where private ownership of land had emerged, it was opposed both by radicals because it would confirm the badly skewed pattern of landholding and by conservatives from the communal tenure provinces on the ground that it would be used to individualize tenure in the north in the longer run.

Technology for cadastral surveys has been transformed since the 1970s, especially as regards rural holdings, where standards of accuracy can be less demanding than in the case of high-value urban land. As conventional ground survey was to some extent superseded by marking boundaries on aerial photomaps in the late 1960s and 1970s, those methods have now begun to be superseded by global positioning systems (GPS) based on readings by hand-held units from satellites.

As tempting as these technologies are, it is important to remember that the type of survey and registration system needed depends on the type of land tenure system. The elaborate, costly systems of title registration are intended for market economies and serve to keep track of land rights in large, impersonal markets. A land registration system is the public infrastructure for the land market. If there is no such market or only a rudimentary one, it is possible to manage perfectly well with the simplest village-level records. Proof of sharecropping arrangements or even infrequent local sales can be adequately handled through a low-tech system, providing simple forms for basic contracts and filing them in a village register, accompanied by sketch maps. What makes the difference is marketability, and either freehold or freely marketable state leasehold will require a much greater investment.

A land registry is also a convenience in terms of land taxation or, under a state leasehold system, rent collection. In practical terms, there is no real difference between a land tax and a rent paid to the state as owner. In a freehold system, government collects land taxes, while in a leasehold system, government collects rents. If set at appropriate levels, both perform an important function in recognizing the economic value of land and making it difficult for people to hold more land than they can use productively. In a leasehold system, for instance, a reasonable rent is a more effective incentive for developing the land than a development condition in the lease.

Government has begun to collect a 20-birr-per-household annual income tax. It is extremely important that this national tax base be reestablished. Ethiopia's historical success as a state was based on its elaborate but effective and broad-based traditional system of taxation. The decision to allow these taxes to be retained and spent at the regional level is also sound. They do not bulk large in the overall tax revenue picture, but can make an important difference at the regional level. It would be useful to consider further localizing the tax, allowing a portion of it to remain with the peasant association. Serious consideration

should be given to attaching this tax (or, in case of a leasehold system, rent) to landholding, thus recognizing the economic value of the land and creating a cost which will discourage leaving land idle or accumulating more land than one can use.

At the moment, however, the agricultural tax is flat and thus regressive, with a poor household paying as much as the wealthiest. The system needs to be reexamined to allow a more discriminating assessment, which can be done by local peasant associations based on landholdings. In communities in Tigray in the early 1970s, elders distributed taxes among households in rough proportion to land owned, increased for land rented in, and decreased for land rented out. Either a land tax or a rent would be fairer than the present system. Moreover, it is hardly fair to place significant taxes on rural people without reexamining the broad subsidies which still exist for urban dwellers, especially access to housing at rates far below the market.

Issues:

- ▶ In light of the tenure options finally decided upon, what is the most cost-effective approach to provision of a system to grant rights in land?
- ▶ To what extent can that system be managed locally?
- ▶ Should that system of records of rights in land be the basis for rural taxation, and to what extent can its cost be justified by revenues from taxes and registration fees or a property transfer tax?
- ▶ How can assessment of the agricultural income tax be made more proportionate to household income?
- ▶ Should this tax be replaced with a land tax in the case of freehold or a rent in the state leasehold system?
- ▶ Can and should part of the tax or rent be reserved for the collecting PA?

In the final chapter of this report, we attempt to explore some possible approaches to these issues, not in the sense of answering them but in the sense of providing a structure and program within which answers could be sought.

3. POLICYMAKING AND POLICY RESEARCH

3.1 ATTITUDES, MODELS, AND ROLES

Ethiopian policymakers are faced with many fundamental land tenure issues. What should be the rights and roles of the central government, the regions, districts, and peasant associations? Should peasants have access to land by virtue of their membership in an association, by freehold, by leasehold, or under some other arrangement or combination of these tenures? To what extent should land policy be uniform or pluralistic—differentiated by region, agroecological zone, and degree of commercialization? Should changes in land tenure be imposed by central or regional government, or should they be allowed to "evolve" in accordance with the needs and wishes of local communities? Should land policy be implemented through law or administrative action? How will land be reallocated between households in response to their changing abilities and needs, by administrative action or transactions between households? Will individuals or households be allowed to hold or cultivate land in more than one peasant association? Will the market value of land be recognized or only the value of improvements? What will be the structure of land taxation? What provision will be made for titling, registration, or cadastre? How will common property rights in pasture, water, or forest be recognized and protected? What kinds of land and water rights will be given to pastoralists and how will they be administered? How will commercial farmers obtain access to land? The list of issues can easily be expanded.

Decisions about these and other policy issues will not be made on the basis of the "facts" alone. Not only are reliable data scarce, but policy choices are inevitably influenced by decision-makers' roles, interests, attitudes, and models. For this reason it is useful to examine some of the differing perspectives on land policy we encountered at the national, regional, and local levels. It should be stressed that our account is schematic. Our purpose is not to simplify or stereotype positions, but to identify central ideas and pivotal assumptions that need to be discussed, researched, and clarified.

3.1.1 NATIONAL LEVEL

Ethiopian People's Revolutionary Democratic Front (EPRDF). The only official statement on land policy reflecting EPRDF views is in the economic policy statement discussed previously (see Box 10, p. 43). While it provides some important indications as to how the government sees land tenure issues, it puts off some of the most fundamental decisions until after the national elections. Since land tenure policy is highly politicized in Ethiopia and is of great concern to major donors, the government is, understandably, guarded on the subject. Our observations are based on selected interviews and inference.

Peasants, as a group, are seen as poor, vulnerable, and open to exploitation by other classes. They also need help in organizing activities such as conservation programs that will

benefit the whole community, assistance in agriculture, and protection from exploitation by elite members of their own community. The state is seen as having a critical role to play in all these areas. Attitudes toward tenure issues are often presented in historical terms. Northern highland farmers are said not to have bought and sold land before or after the revolution and to remain adamantly opposed to land markets, which would result in a few rich and powerful people buying up all the land and a great increase in tenancy, evictions, and political unrest. In the long run, there is an acceptance that limited land markets may need to develop. For the time being, however, some type of communal, state-supervised tenure should be maintained. In the south the situation is less clear and less uniform. It is possible that in some areas peasants at the association, district, or even regional level might opt to have land markets. At this point EPRDF opinion is divided. Some argue for the primacy of regional and subregional self-determination. Others say that the regime has a responsibility to prevent peasants from doing things that are not in their own self-interest.

In the near term, the TPLF experience with land reform is thought to provide an attractive model for other areas, at least in the north. As we have noted, variants of this approach were undertaken in liberated areas of Gondar, Wello, and northern Shoa before the end of the war. Cadres we met in Gojjam and Arssi spoke enthusiastically of this experience and strongly opposed the development of land markets in their discussions with us and with peasants.

More broadly, the EPRDF seems to be thinking in terms of a bimodal strategy of agrarian development in which the peasant sector remains rather self-contained and egalitarian and land tenure remains community based. The sector should move towards food security and help to feed the cities. Cash and export crops like coffee will continue to be grown by smallholders, but the engine of growth in agriculture will be private commercial farming, guided by the state. It is held that commercial farming enterprises will be located on surplus land not used by smallholders. This land is to be identified and made available by government, central or regional, presumably under some type of leasehold arrangement. Unusually successful peasants might move (literally) out of the peasant sector and become established with state help on land made available for commercial farming. There does not seem to be a major role envisaged for entrepreneurial peasants in their own communities, for the egalitarian land policy in that sector places implicit limits on "peasant differentiation." Nor is it clear that development of a strong, land-owning, politically independent class of commercial farmers would be welcomed, but here we verge on speculation.

In the long run, the EPRDF does not anticipate abandoning the peasantry to permanent poverty and stagnation, but hopes to draw the excess population out of agriculture by promoting employment generation through rural and small-town industrialization. The Chinese experience with rural industrialization and land policy is of great interest here but not yet well known in detail.

Economists, Western-oriented economic advisors. The central argument by those who favor privatization is summed up in the *Final Report of the Symposium on Rehabilitating the Ethiopian Economy*: "Only private ownership will ensure security of tenure and provide

the peasant with the incentive necessary to make investments and long-term improvements on the land. One cannot move towards a market economy while keeping land—the most vital means of production in an agricultural economy—outside the operations of the market." It is interesting that even the opponents of this view, who thought privatization and land markets would lead to landlessness on a massive scale, agreed that "the current system, because it does not guarantee security of tenure and undermines incentives, has detrimental effects on agricultural productivity and natural resource conservation" (Inter-Africa Group 1992, pp. 6-7).

Managers and technical experts in ministries. Virtually all ministry officials interviewed in Addis Ababa and in the regions agree that the present system of land tenure provides poor incentives for production and land management, though they did not generally cite specific evidence for this belief. Many technical experts in land, conservation, and forestry favor long-term leasehold, or even freehold, yet, somewhat paradoxically, also advocate the confiscating of land if developmental and environmental conditions placed on the land by government are not obeyed. Those favoring leasehold without transfer, unlike farmers, did not usually address the problem of how newly formed households should acquire land under a leasehold system. Almost all those interviewed, even those who favored freehold tenure, believe that land markets involve a danger of land-grabbing by urban merchants and other elites. Among employees of the MOA, especially agents in the field, there is a strong bias against common-property regimes, regardless of whether they are traditional or government imposed. In a number of areas visited, agents were actively encouraging peasants to divide woodlots and pastures into individual plots.

In terms of broad policy, it was our impression that some ministry officials and technical experts see more potential for commercial and export production in the peasant sector than do EPRDF policymakers and cadres. But most still seem to accept the inevitability of bimodal agrarian development, of a large farm sector and a smallholder sector, rather than the more even distribution of farms over size classes (unimodal) which most economists consider more conducive to economic growth, in spite of their doubts about the availability of land for commercial development.

Businesspeople. Businesspeople interested in commercial farming express concern with the lack of clear procedures for obtaining land, and great uncertainty about the problems they might face operating under the fledgling regional governments. In part this uncertainty has to do with how they will be treated in regions associated with nationalities other than their own. They did not seem as concerned with the privatization of land or with the creation of land markets as economists. This may be because privatization would increase their capital costs since they would have to purchase land. Under the alternative arrangement of administrative allocation by government with long-term leasehold, they could obtain access to land at lower cost. In other words, they may be influenced by the prospect of obtaining access to land from the government for less than its "market" value.

3.1.2 REGIONAL LEVEL

At the time of our field visits the formal authority of the regions had been gazetted, but the process of institutionalizing regional government was advanced only in Tigray and had barely begun in some regions. Moreover, land policy and the role of the regions in regard to it had not been addressed by the regime. Furthermore the political situation was confused in the wake of OLF's and some Southern coalition members' leaving government, and it was not entirely agreed who spoke for people in the regions. Thus, while the role of regional government in land tenure and other aspects of land policy may be of critical importance in the future, we can say little about it except in Tigray. (Regional government claims to state farm land in Afar were noted previously.)

Tigray. A land policy for peasant agriculture was developed and then modified in the context of the political struggle in Tigray. The PAs have been replaced by the *baito* system, a hierarchy of elected councils which deal with land policy and administration but in a system of local and zonal government with broad responsibilities. The regional government has moved ahead on a policy for access to land for large-scale commercial farming. The regional MNRDEP, which is viewed by the regional government as having lead responsibility for land policy issues, seems at least as much a creature of regional government as central government. While it still relies on Addis Ababa for financial resources, it is heavily staffed with experts who are originally from Tigray, and they work comfortably with the regional government, providing technical expertise and implementing programs.

Oromia. A high official of the Oromo People's Democratic Organization (OPDO) says the main concerns of farmers in Oromia are preventing former landlords from reclaiming the land they lost in the land reform; opposing the sale of land, which would enable outsiders from the city to take away their land; and, in some areas like Arssi, regaining the land they lost to state farms. From the region's perspective, the most important land policy issue is whether land will belong to the central or regional government. There are strong sentiments that, if land is controlled centrally, urban Amhara interests will prevail in matters of land allocation. Many OPDO members would like to have regional land rights enshrined in the constitution, on a par with the right of secession. Regional sentiment also extends to the conditions under which land in Oromia should be made available to commercial farmers from other regions or countries. Such investment is welcome, provided they hire only workers from Oromia and speak or learn to speak the Oromo language.

3.1.3 LOCAL LEVEL

The tentative nature of our observations about peasant attitudes should be stressed at the outset. Ethiopian peasants have long been cautious in discussing issues of economic and social significance with outsiders. Experience of the past 20 years has taught them to be especially careful in discussing issues that are political, and land tenure is seen today as inherently political. As one peasant remarked when asked if he would prefer private ownership or government ownership, "You are asking me a political question. If I say I prefer freehold, people will think I am a reactionary. If I say I prefer government ownership,

people will think I favor the Derg." The meeting at which this remark was made was eventually disrupted by two OPDO cadres who loudly interrupted the farmers present to insist that government ownership and periodic redistribution were best. On another occasion in Gojjam we were told that we were allowed to ask about agriculture but forbidden to talk about land tenure, because land tenure was politics. These issues are however discussed with deep interest and concern in peasant communities. (See Box 11.)

While many of the Derg's later actions and policies are deeply resented, there is, as we have noted, widespread support for the initial phases of the 1975 land reform. In the south, in areas where landless tenants predominated, vocal support for land reform is strong and detractors hard to find, perhaps because those former landlords who remained find it politic to remain silent. In the north, the support is somewhat qualified. Older individuals who enjoyed larger holdings and the status associated with it before the revolution, complain that today "everyone, even the descendants of slaves and artisans, has land" and deplore the leveling effects of reform. But the clear majority of those interviewed, many of whom are too young to have a clear memory of the prerevolutionary period, are positive about the reform. This is in part because young and poor households got land, but as one man remarked, "the *rist* system made us fight," referring to the long and bitter share-claim litigation. Again, while former large holders complained of losing their rights to land in other associations, many farmers said they appreciated having more of their land near their homestead.

Today, in all areas we visited, other than Tigray, people complained that the way land is distributed among households is unfair. A majority say they want or expect another distribution, after which they hope to keep the land they get as their own. When pressed, they acknowledge that over time further adjustments or transactions between households will be necessary.

Everywhere we went most farmers opposed allowing unrestricted land sales. In the north, where the overt sale of rural lands is unprecedented, it is considered immoral as well as undesirable. In the south where land sales were common prior to the revolution, it is also feared. The idea invariably arouses memories of tenancy and domination by large, often absent and culturally alien landlords. Because of this historic association, a residue of Derg propaganda, and present political uncertainty, it was not possible in our short visits to assess how farmers might evaluate alternative, concrete proposals for land transfer, such as allowing the transfer of land for compensation, perhaps limited to the local community, and subject to the agreement of specified kin.

Box 11**Land tenure and incentives for production and investment in Eastern Gojjam: a peasant debate**

Tikil Dingai Peasant Association lies 21 kilometers off the main road southwest of Mota in Gojjam. Together with the two other associations in its service cooperative, it has 1005 male- and 195 female-headed households. Teff is the main staple and cash crop, and fertilizer use is widespread. Before the revolution elders said that the local lord had large holdings in the area and a number of tenants. As in other parts of Eastern Gojjam, however, most farmers were smallholders and there were few landless tenants.

In 1978 (EC) 38 individuals established a production cooperative and were allocated a large portion of the association's best land. Eventually their numbers grew to 62, representing a small minority of all households. According to all at the focus group interview, some of whom had been members, the cooperative had many difficulties. The members had different backgrounds, interests, and abilities. They quarreled about the division of labor and over the management of common property. Some were accused of theft. They also quarreled with the private peasant households who had not joined them over land division and pasture rights. Nonmembers were forced to pay fines if they grazed their livestock on the cooperative pasture to which they felt they had access by traditional right. In addition, party cadres forced non-members to give free labor to the cooperative. In spite of this, the cooperative members were unable to use all the land they had been allocated, or, according to their detractors, even to feed themselves. Immediately after the announcement of the mixed economy in 1990 the cooperative was disbanded. Contrary to what they understood to be the government's direction, they divided the land equally with all members of the association rather than amongst the members of the PC alone.

Today, the farmers' main complaints are that land is not divided fairly between households, that there is a shortage of pasture due to encroachment on the commons during the unsettled period that followed the defeat of the Derg, and that there is no way for young people to get land. No problems were reported absorbing returning soldiers or settlers. All of the farmers present at the discussion thought the government should have them divide the association's land fairly. All agreed that over time the holding pattern would become unfair due to births and deaths. After some discussion they said they favored redivision every three years. They also agreed that they would not invest in improving their land if they thought it would be reallocated to others. In response to this dilemma, some farmers suggested improved land should be excluded from redivision. Others maintained that this would be "unfair," like returning to the *rist* system, one elder remarked, and that all land outside of homesteads should be subject to redivision.

The alternative of returning to "customary" tenure is even harder to discuss or evaluate on the basis of short field visits. In most areas of the south, customary tenures were altered or entirely replaced by northern conquest. While we have reports, from anthropologists who have conducted in-depth research, that some forms of indigenous land allocation

and adjudication persisted even under the Derg, further study is required to learn whether this is still the case and whether it is of potential significance for the future.

3.2 TENURE OPTIONS FOR FARMLAND

As we noted in the preface it is not our intention to prescribe new land tenure policies for Ethiopia, but rather to raise issues and clarify options open to policymakers. Nevertheless, we believe it is useful to give our own views on the merits of these options in light of evidence from a comparative study of land tenure policy as well as from Ethiopia. First, we note what we think should be some key features and objectives of any new policy and then we examine three broad options, **private ownership**, **state leasehold**, and **limited ownership**, in light of these objectives. It should be remembered that these broad options represent general directions rather than specific systems of land tenure. The ways in which they actually shape access to land, pasture, and other renewable natural resources associated with land inevitably depend on the way legislation is drafted, the choice of procedures for implementing it, and the ways the behavior of administrators, courts, and resource users is affected. Unfortunately, much discussion of land policy is conducted in terms of oversimplified models and assumptions.

We believe the following objectives should be borne in mind while evaluating the tenure options considered below:

- ▶ Land tenure policy should build upon the positive achievements of land reform to maintain smallholder agriculture and avoid high concentrations of landownership.
- ▶ It should foster a unimodal pattern of agricultural development which encourages and permits efficient smallholders to intensify production, invest in sustainable improvements, and within limits expand their agricultural operations and landholdings.
- ▶ Responsibilities given to administrators, technical ministries, and the courts must not exceed their modest capacities.
- ▶ The land tenure system should ensure security of tenure by minimizing possibilities for manipulation of access to land by local, regional, or national political leaders. To the extent possible this requires that land tenure issues be resolved according to law by courts rather than by administrative fiat.
- ▶ Land policy must have the flexibility to take account of regional and local agroecological, cultural, and economic differences.
- ▶ Delegating significant powers and responsibilities to local communities can contribute to attaining the three preceding objectives.
- ▶ Government must retain the right to protect ethnic minorities, women, and natural resources where there are conflicts with local sentiment or tradition.
- ▶ Land policy should make available mechanisms for land titling, transfer, and mortgaging in peri-urban and market-oriented areas without mandating a regional or nationwide transformation of tenure.

After twenty years on a relatively consistent land policy track, Ethiopian policymakers have a chance to reconsider fundamental directions. Much of the agrarian experience of those years was so unpleasant that it is easy to forget that something important was achieved. Ethiopia's land reform was one of the most successful in history in its transfer of land to the tillers. It resembles more the successful reforms of the 1950s in Asia than the reforms of the 1960s in Latin America, with their very mixed results. The structure of agriculture left by the reform, a unimodal pattern with a broad base of smallholders, would be agreed by most economists to be a far more promising basis for the development of a modern agriculture than the bimodal pattern of large, tenant-farmed feudal holdings and small peasant farms (Johnston and Kilby 1975; Berry and Cline 1979; Levi and Havinden 1982; Binswanger et al. 1993).

Because of disastrous government decisions on food pricing, food marketing, and investment in agriculture and actions that reduced farmers' sense of security of tenure, the productive potential of those reforms was forgone for twenty years. But the potential remains to be realized. As Ethiopians reflect on how best to meet today's tenure needs, it is important to bear in mind what has been learned from the comparative experience with different land tenure options in Africa.

This is examined in greater detail in appendix 1, but can be stated here briefly. In the immediate postindependence period in most of Africa, the discussion of land tenure was framed primarily in terms of concerns arising in the colonial period about the implications of customary land tenure systems for productivity. Many African countries enacted reforms of their land tenure systems. The interventions associated with this period tended to be ambitious and to reflect a "replacement" paradigm: the existing tenure system was to be replaced by a tenure system modeled on that of either capitalist or socialist developed countries. Common tenure-reform models were tenure privatization and individualization, leasehold rights from the state as landowner, state farms, and collectivization of peasant production. In the spirit of nation-building, national law rather than local custom was to become the basis for farmers' access to land.

The period from 1965 to 1990 provided a substantial body of experience with the performance of these tenure reform models, and this has led to a recasting of options. The disappointing experience with state farms and production cooperatives is too well known to require repetition here. Attention is now focused on models which try to provide an adequate tenure regime for household production. This seems consistent both with the preferences of Ethiopia's farmers and with the international experience, which has in recent years reconfirmed the relative efficiency of the small- and medium-sized family farm (Binswanger et al. 1993). This section examines three options for tenure in farmland: (1) private ownership, (2) state leasehold, and (3) ownership without alienability. What are the relative advantages and disadvantages of each option?

3.2.1 PRIVATE OWNERSHIP

Private ownership:

- ▶ provides most robust rights to individual holders, both large and small, and allows them to participate more fully in the market economy;
- ▶ secures land against confiscations by government, the major threat to tenure security in Africa today;
- ▶ limits government interference with land use, but permits limited control of use through zoning and other regulatory approaches; and
- ▶ permits free alienability, which under some circumstances may move land into the hands of more efficient producers, but may also increase landlessness.

Kenya is our only example of a thoroughgoing individualization reform. In other countries, some private individual ownership had been introduced, but usually for urban land and for very small or modest amounts of rural land (Senegal is an example) or for white settler farmers (South Africa, Zambia, Zimbabwe, etc.). Some other countries have converted peasant holdings to individual ownership in specific localities, such as the Sudan, Uganda, and more recently Malawi, but Kenya is the classic example of nationwide conversion of peasant holdings to individual ownership. There is an extensive literature on the Kenyan experience with tenure reform (for example, Coldham 1979; Okoth-Ogendo 1986; Shipton 1988; and Haugerude 1989).

In Kenya, customary landholdings were systematically surveyed and the titles converted to and registered as individual titles. Implementation was given high priority by government, and most good agricultural land in the country has now been registered. Consolidation of fragmented holdings was a part of the program in its early stages, but dropped as an element when there seemed little popular enthusiasm for it. The program coincided with a major increase in production in the smallholder sector, but it is difficult to say to what extent the increase was due to tenure reform or, alternatively, to other important changes at the time, such as new credit access for Africans and the lifting of bars to cultivation of certain export crops by African farmers. But the package of reforms, tenure and nontenure, appeared to work.

Over time, problems have become apparent. First, it seems that the land market may not be allocating land to the most efficient producers. Those working outside agriculture have much more ready access to capital, and many purchases appear to have been made with remittances, not for immediate productive purposes but for use by the next generation. Second, while the land market does not appear to be creating major concentrations of ownership of rural land, desperation sales by peasants are creating landlessness. It is not clear, however, how far their ability to sell their land hastened their departure from the agricultural sector. They could in any case have been squeezed out by land pressure, so that the sales did not cause, but only provided the mechanism for their departure. A growth in landlessness has also been noted in countries which do not have land markets.

Other problems have appeared. The asserted benefits of individualization, such as improved access to credit through mortgageability, appear to materialize only in the case of larger farmers. Individualization, it is now clear, wiped out not only the rights of communities but those of wives and children in the holdings of their husbands, opening the way for alienation by the head of household. Customary values regarding land survive and clash with the values of individual ownership, so that a fall in the number of land disputes immediately after registration was followed by very high levels of land disputes, many within families, after ten or fifteen years. There is a widespread failure to register inheritances and transactions to avoid fees and limits on minimum size of holdings. The registers are rapidly ceasing to accurately represent the facts of landholding.

While strong advocates of the Kenyan approach still exist, even some advocates of individualization question whether such a comprehensive and systematic approach to individualization is cost effective. An alternative approach is individualization on a selective basis, at the request and at the expense of the landholder. The problem with this approach is that when neighbors' rights are not being adjudicated at the same time, the registered party often takes advantage of the process to expand a holding at their expense. Another alternative is an evolutionary approach which seeks to promote the development of stronger individual rights within customary tenure systems and sees the appropriate role for registration as the consolidation of an evolutionary process rather than a reform tool.

In Ethiopia, the issue of alienability is hotly debated, because there is fear that the great gains in equitable distribution of land achieved since 1975 could be lost through the operation of a land market. There was a general acceptance of rental markets at the August workshop, but a strong fear persisted of markets in ownership of land. However, the relationship between sales and landlessness is not simple. There is considerable evidence from elsewhere, for example, Lesotho, that people will leave a crowded and depressed rural sector and become landless, whether or not they can sell their land.

There is broad recognition that land markets have commonly been distorted by other government policies and have failed to deliver an efficient structure of smallholder agriculture. But there is little evidence from elsewhere in Africa to support the fear that a land market will reconcentrate ownership of agricultural land in the hands of a wealthy few. There may be a tendency in this direction in peri-urban areas, where land is being purchased for nonagricultural use, but the authors doubt that a land market would have a very significant short- or medium-run impact on land distribution patterns in the agricultural sector generally. The need to pay a real and rising market price to acquire land and the relative economic efficiency of smallholdings provide the best economic insurance against reconcentration of landownership, and these elements can be reenforced by a progressive land tax. In the long run, a modest level of land concentration is acceptable and even necessary, as labor moves to new employment opportunities outside of agriculture.

3.2.2 STATE LEASEHOLD

State leasehold:

- ▶ is a highly flexible tenure, because one can create a leasehold which is either very brief and insecure or very lengthy, secure, heritable, and even alienable (the remaining years of the lease can be sold or mortgaged);
- ▶ requires an extensive bureaucracy to operate it, which is sustainable only if local and low in cost, along the lines of the peasant associations;
- ▶ invites and almost ensures corruption of the administrative land-allocation process, because land is generally leased for little or no cost; conditions of one-party rule;
- ▶ usually involves development or conservation conditions which are almost never enforced so as to achieve their original objectives, but are commonly used by those administering the leasehold program to either seize coveted land or threaten it and obtain bribes;
- ▶ in conditions of political dominance by a single party, allows political opposition to be punished through withdrawal of land; and
- ▶ preserves the underlying concept of state ownership of land and thereby, depending on the extent of faith in public officials, either ensures protection of peasant livelihoods by the state as trustee or threatens those livelihoods by exposing them to the rapacity of governmental and associated elites acting in abuse of their trusteeship.

Most African states hesitated to embark on the Kenyan path and rejected private ownership of land, declaring land a state-owned resource. Some of these have continued to rely primarily on peasant agriculture, but have sought to eliminate community rights and constitute a direct tenancy relationship between the state, as landowner/lessor, and individual farmers as cultivator/lessee. This tenure model has sometimes been used expressly for particular farming sectors, for instance for resettlement of land reform beneficiaries (Zimbabwe, Zambia, Tanzania), or as a tenure for irrigated or large-scale rain-fed commercial farming operations (the Sudan, Somalia, Zimbabwe, Zambia) or commercial ranching operations (Uganda, Botswana) carved out of the indigenous tenure sector.

The intention has sometimes been more ambitious: to replace all indigenous tenure with rights under national legislation (Nigeria, Senegal, Somalia), but this has usually not been possible due to the high costs of creating a new land administration bureaucracy. With the exception of Senegal, which has not utilized a formal system of contracts but rather a statutory set of conditions, actual implementation has tended to focus on the same farming sectors mentioned in the previous paragraph.

The literature on this model is more sketchy (Bruce 1993). Because leasehold can, depending on how the lease is framed, confer either very weak or very strong rights, it is hard to generalize about the experience with state leasehold tenure. But four general points can be made. First, development conditions imposed on lessees have usually been badly monitored or not monitored at all, and thus have undermined tenure security without serving

any useful purpose. In one-party states, they have been used to take land from political opponents of the party in power. Second, rentals on leases have been nominal, and so officials have been allocating a valuable good almost for free. This is a situation which invites corruption of the allocating officials, and in fact corruption in these systems has been pervasive. Third, bureaucratic and commercial elites have used the state's ownership and control of land to grab unintensively utilized land from local communities, especially pastoralist communities. This has been particularly acute where increased producer prices have revitalized agriculture, in extreme cases (Guinea Bissau) creating major concentrations of landholding. Fourth, if leasehold tenure is circumscribed by many conditions or subject to more than a nominal rent, local farmers will tend to prefer holding under the indigenous tenure system. The Somalia experience, near at hand, exhibited all these problems with disastrous results (Hoben 1988; Besteman 1990; Roth 1993).

A state leasehold solution has been proposed for Ethiopia (Singer 1989). Such a system might be administratively feasible if the peasant associations can be revitalized, and they, not the central or the regional government, are the landowning entity. A leasehold tenure can provide security if the leasehold is framed to give the fullest possible rights and is unconditional. But it is not clear to us that political conditions for a fair leasehold tenure system can be created in Ethiopia's present transitional situation. Leasehold tenure lends itself to abuse where there is not genuine multiparty democracy and the rule of law, and there is much to remind Ethiopians of this in the earlier experience with peasant associations. Citing the very occasional and limited use of state leasehold in a few democratic countries with market economies misses the point.

3.2.3 LIMITED OWNERSHIP

As we listened to the debate in the workshop, it became clear to us that even if one sets aside the complications created by ideological prejudices, the debate is on the horns of a dilemma. Even those who desire the most secure tenure possible for farm households hesitate to opt for private ownership because they fear the possible impact of land markets on land distribution. Even those who are committed to the concept of trusteeship of land by the state or community realize the danger that these lofty concepts can be abused and turned into tools to deprive peasants of their land and undermine political and economic rights.

There is an additional possibility which deserves to be considered if full private ownership is unacceptable. This is to recognize an ownership with limited alienability. The bundle of rights which we call "ownership" can be varied by the addition or subtraction of rights, and in fact systems of private property recognize important limitations on rights of sale through either public controls (such as zoning rules which limit use and thereby restrict the market for land, or minimum parcel sizes and prohibitions of subdivision, or a legal maximum on what one person can hold) or even more direct restrictions such as covenants in the deed of title imposed by the state as grantor of the title.

One possibility then would be to legislate a property right which is ownership, perpetual and heritable, but which does not permit free alienation of the land, or to issue titles

which contain restrictions on transfer. Limited conditions in which alienation would be possible could be specified and/or the consent of some local public body could be required before a transfer could take place. There are precedents for restriction of sales to members of the local community. Albania is adopting this policy as it privatizes land, at least for the time being. There are also precedents for control of land sales, such as the Land Control Boards in Kenya which must review and approve proposed sales.

On the other hand, it may not be necessary to specify legislatively the property right or impose it contractually. There is growing sentiment evident in the land policy literature for allowing local communities to define their members' land rights, building on local custom rather than importing a Western tenure form (Migot-Adholla et al. 1991). The approach relies on the proved ability of customary tenure systems to evolve in response to economic and demographic pressures, utilizing a dispute-settlement process which gives priority to meeting contemporary expectations rather than strictly enforcing traditional rules (Rose 1992). The approach has been referred to as reflecting an "adaptation" paradigm rather than a "replacement" paradigm (Bruce and Migot-Adholla 1994).

Some of the more successful tenure systems in Africa rely heavily upon adapted customary systems of property rights, including the system of tribal land boards in Botswana (Dickerman et al. 1989) and the *communautés rurales* in Senegal (Freudenberger 1993). The most important recent policy proposal along these lines is that of the Presidential Commission of Enquiry into Land Matters in Tanzania. Chaired by Professor Issa Shivji of the University of Dar es Salaam, it has not been released pending conclusion of work on a government white paper. Its general terms are known, however, and it has aroused considerable interest.

The commission recommends that Tanzania vest rural land in villages and allow village councils to administer the land according to their custom, defined simply as current usage acceptable to an elected village council and subject to certain specified restrictions involving sale of land to outsiders. The degree of formality in land administration could vary according to the circumstances of the community. The commission rejects the leasehold option for village lands, but utilizes it elsewhere. Any land not within the boundaries of a village territory would be national land, vested in a quasi-judicial board of land commissioners. These lands would be allocated on long-term leaseholds to entrepreneurs and investors at an economic price determined by public auction where appropriate.

While such a tenure arrangement does not allow a large-scale, impersonal land market, it permits local sale markets and, of course, rental markets. It addresses the concern about the impact of land markets while potentially providing a degree of tenure security not obtainable under a system which perpetuates state ownership of land.

3.2.4 CHOOSING AN OPTION

The authors have attempted to lay out as fairly as possible the options which might be considered. While the purpose of this paper is to generate discussion and consideration

of all the options, we feel a responsibility to state briefly what we would recommend, rather than simply ducking the issue.

We begin with the assumption that Ethiopia has embarked on the road toward a market economy, and so we incline toward the private ownership option. Freehold is, in the end, the tenure most consistent with a market economy. It interacts most effectively with other institutions and processes in a market economy. A market economy without a market in land to interact with labor and financial markets is likely to run like a wagon with one bent wheel.

On the other hand, we appreciate the genuine and widespread concerns about land market impacts on the poor and disadvantaged, and we acknowledge that land markets in transitional economic circumstances can behave perversely. Some restrictions on the right of sale and purchase may be necessary, though we believe that in time it would be possible to drop those constraints. In general, we think that specific limitations on rights of sale and purchase are preferable to continued state ownership of land.

To the extent that full private ownership or limited ownership are not acceptable or are considered premature, we would favor a system which vests land in the local community and allows the community to determine land rights, subject to such qualifications as are required by public policy, including any desired restrictions on the sale of land. By moving decision-making to the local level, abuses of state power are limited. There is, of course, potential abuse of power by community authorities as well, for instance, persecution of political opponents, minorities, or women through their land rights. This can, however, be dealt with by providing constitutional guarantees against discrimination and arbitrariness and a right of appeal to regional or central government courts, casting those levels of government in the role of protector of rights against abuse.

To the extent that a leasehold option is to be pursued, we would favor long-term leaseholds of a minimum of 50 years (which is now the case in China), and preferably as long as 100 years, which are heritable, mortgageable, and transferable subject to such restrictions as public policy might impose. We would prefer a leasehold system like that in China, which vests land in the community rather than the state and in which the leases run from the community to individuals. In China production increased impressively after the return to household farming following 1987. The increase is generally attributed to the efficiency of family labor rather than the short-term leaseholds that were available until recently. While the longer tenure now obtainable is already having impacts on investments such as tree-planting, abuses of authority still occur.

Leasehold directly from national or regional governments is the least desirable option discussed here. It would tend to promote the development of a land administration bureaucracy which will pursue its own interests over those of the farmers, a bureaucracy which the country cannot afford. In a state leasehold system, or in any system based on public ownership of land (local, regional, or central), security of tenure and investment will require a very long term, heritability, and some degree of transferability. It is also essential that economic rents be charged. This discourages nonproductive accumulation of land and

ensures advancement far better than development conditions and with less danger of abuse. Any land administration system which allocates a valuable resource at much less than its real price, however noble its initial intentions, will almost inevitably become corrupt.

There is no need to choose among these options for all the land in a country. It is quite possible to leave some land owned by the state and directly administered by the state, to retain state ownership of other land but to lease it out to private users, and to recognize rights of private property in still other land.

3.3 COMMON-PROPERTY AND NATURAL-RESOURCE MANAGEMENT

The options discussed here are options with respect to farmland, and the importance of agriculture to Ethiopia's well-being dictates that tenure issues in this sector should receive first priority. There are, however, other sectors which will require attention. Not all resources can be effectively partitioned for management by households. Pastures, forests, and wetlands, for instance, are not usefully partitioned, at least in most circumstances. Such resources could be administered as state land. This is likely to be the case with biological reserves, including some forests and wildlife reserves. But the use of these resources is often shared by members of local communities, and consideration should be given to allowing these to be administered by those communities.

We understand that there have been some unsuccessful experiences with community management of resources in Ethiopia in past decades, but those are the product of seriously flawed institutional arrangements. Community forests, for example, were often not perceived by local people as community forests at all, but as state forests on land taken from the communities for that purpose, with the community having little control over management of the forest and little vested interest in its success or failure.

There have been similar experiences elsewhere, but, on the other hand, the experience with direct state management of resources has been no better. In the last decade, there has been intense interest in development circles in successful instances of community resource management. In response to the idea of an inevitable "tragedy of the commons" (Hardin 1968), a large case-study and theoretical literature has developed, asserting that, to the contrary, an appropriately designed common-property institution can produce efficient and sustainable resource use (Berkes 1989; McCay and Acheson 1987; Ostrum 1990; and Bromley 1992). The term "common property" is used to stress that community ownership and control of such resources is critical as an incentive and precondition for effective, sustainable management. The case study literature points out many cases of traditional common-property management, and some highland pastures in Ethiopia are a case in point.

Economists and others have undertaken to specify the necessary conditions for successful common-property management, and they can be summarized here briefly. Ostrum (1986) suggests that institutions emerge to manage a resource as common property when the

user population lives close to the resource and is relatively small, supply of the resource is moderately scarce when compared to demand, and the resource is subject to multiple uses requiring management and coordination. The desire to exclude distant users from other communities from the resource is often a key factor in the creation of a common-property arrangement, and in fact internalizing the costs and benefits of management decisions in a single community is a critical step toward a viable common-property arrangement. Common-property arrangements tend to survive if the group has clear-cut rules that are enforced by both users and officials, internally adaptive institutional arrangements, and the ability to nest into outside organizations for dealing with the external environment. Reaching fundamental decisions on management is easier to the extent that all members of the community make the same use of the resources, though this is rarely the case.

A wide variety of institutional arrangements can be used to manage common property: a village council, a cooperative, a user association, a lineage, or a corporation. The institution must have the capacity to own the resource and exclude nonmembers, the ability to make rules to control use by its members, and the ability to enforce those rules. It must also have access to some overarching authority between communities which can resolve disputes over intrusion by members of other communities and even enforce rules on members of the community itself. In some cases, it may be advantageous for the community to enter into an arrangement for comanagement of the resource with a government agency which can provide technical assistance and access to inputs and markets. On the whole, it is best to work with existing institutions, including traditional institutions if these are still viable. The difficulty of creating a new management organization from scratch should not be underestimated (Bruce and Fortmann 1992).

In considering the future of the land tenure system, it is important that this option of common property be considered in appropriate contexts, especially those in which the resource cannot be conveniently partitioned and the only alternative appears to be state management. The tenure in which the resource is vested in the local group is an important factor, as it is in the case of households. Security of tenure creates incentives for communities as well as individuals.

3.4 A LAND TENURE ISSUES NETWORK

The assessment reported upon here is only the roughest first cut at understanding the processes under way, and providing policymakers and others with the information needed to make decisions on land policy. We have noted that the existing capability in this area is very thin. Individuals have done some fine work, but a critical mass of expertise does not exist. The human resources built up in Ethiopia for land and tenure policy work over many years were squandered under the Derg, with the experts sent to prison and forced to flee abroad when they questioned government policies. A ministry once devoted to these issues no longer exists. There is a need to recreate the capability to conduct studies to inform policymaking, and for policy analysis itself, on land tenure.

We see several needs.

1. There is a need to pinpoint responsibility in the government for design and analysis of policies on land tenure and administration. This does not mean that a particular unit of government would monopolize the topic, but it would be responsible for taking the lead. It would need to stimulate discussions of policy within government. Equally important, it should be charged with a program of consultation with rural communities on their preferences and with the promotion of a lively public discussion of land policy, through publication of diverse viewpoints in the local language press and promotion of panel discussions in radio and television. It would need to work very closely and supportively with those dealing with land policy in the regions.
2. That lead unit must be capable of conducting studies to meet felt needs of policymakers and planners for specific information. Such studies often have to be carried out within tight time constraints. They are needed both to design policies and to help government understand troubled situations. There will also be needs for a longer-term program of monitoring and evaluation of selected land policies, involving regular collection of data over a longer period of time.
3. The same unit should have responsibility for providing officials and the public with access to the experience of other countries facing similar land tenure issues. This would include the accumulation of books and other resources, but the unit should also take the initiative in securing funding for study visits to countries in the region and others with similar policy histories, such as Albania, Tanzania, and China. Well-planned study travel can be extremely valuable if funding permits hiring of a local consultant/ facilitator in the country visited.
4. There is also a need to create a capability for the sophisticated, in-depth research which is needed to sort out fundamental issues. We believe this should be university-based, because universities constantly renew methodological skills and can generally provide more rigorous research approaches. They have a comparative advantage in research which requires a long-term presence in local communities, or in the collection and economic analysis of large household data sets. Researchers within the university can be of tremendous help even in short-term studies because of in-depth knowledge of local communities acquired over many years of study.

In Ethiopia's difficult financial circumstances, there is every reason to avoid the creation of an expensive new institution. (At least that should wait until, and if, there is a program to be implemented which would justify its existence.) We are inclined instead toward a networking approach, at least as a first step. An appropriate unit in government must take the lead to build a network of experts in different ministries with interest and

growing expertise in land tenure issues. This might simply be called the Land Tenure Issues Network. MNRDEP has several interested units, as does the MOA, and there are other units whose staff would need to be involved, such as the Ministry of Coffee, Tea, and State Farms, the Secretariat for the Environmental Action Plan, the Institute for Agricultural Research, and ILCA in Addis Ababa.

A modest investment should be made in a secretariat for the new unit, with donor funding sought for the purpose. An appropriate professional would need to be relieved of other responsibilities and appointed head of the Secretariat for the Land Tenure Issues Network. The secretariat would need a secretary, a vehicle, travel funds, and a modest operating budget. Further investment would need to be made in training and short-term studies to develop a common body of experience for the network members, to allow them to work together toward a shared sense of priorities and concerns. The network should include researchers at Addis Ababa University and Alemaya Agricultural University.

The unit would need to work closely with the offices responsible for land policy in the regional governments. A unit at the center which fed only into national policymaking would not serve well in a period of decentralization of land policy. Later we put forward some ideas about how this interaction might be initiated through a seminar on community management of natural resources and training in RRA methodology.

We have suggested above that a complementary capability for long-term, more in-depth research be created. There are a number of research institutions which have been considered. At Addis Ababa University, the Institute of Development Research (IDR) has already done some work on land tenure and land reform, as well as complementary research on the rural household economy, grain marketing and pricing, rural institutions, conservation, and demographic issues. The Central Statistical Authority (CSA) has carried out annual crop surveys, a survey on nutrition and rural health, and a census of resettlement. Commissioned surveys can be arranged with CSA. The Institute of Agricultural Research's main research focus is on crop and soil science, agronomy, and livestock; however, it has carried out research in farming systems and agricultural economics. Similarly, since its establishment as an independent agricultural university, Alemaya has undertaken studies in agricultural economics and farming systems. The Ethiopian Nutrition Institute (ENI) has conducted research on nutrition-related issues.

ILCA has carried out research on smallholder agriculture, farm technology, pastoralism, and livestock in mixed farming systems. ILCA has launched an ambitious research project on "The Evolution and Impact of Land Tenure Institutions in Ethiopia." We applaud this effort, but believe it is essential that long-term research capacity also be fostered in an Ethiopian institution.

We would propose IDR as the most viable option. A location in Addis Ababa seems essential for interaction with central government agencies. IDR has organized much of the more valuable land-tenure research of the past decades. It is the home of one researcher with a sustained interest in land tenure and others with interests in rural development which

include tenure. We would recommend the creation within IDR of a Land Policy Research Project. It could play an important role in short-term training and in applied research.

We see considerable potential for the Land Policy Research Project to collaborate in mutually reinforcing ways with existing programs within IDR, especially the Center for Research on Women in Development and the Demography Research Unit. Both have master's level training programs, which could be used to train a researcher on land and population issues, and gender issues in land policy. Again, funds for training, a vehicle, and a modest operating budget would be needed. The staff of the Land Policy Research Project could participate actively in the Land Tenure Issues Network. We would see this unit as the home for the more methodologically sophisticated, in-depth research, and also of collaboration with the network as needs arise for shorter, more targeted studies.

Finally, we believe it is important to link both the Land Tenure Issues Network and the Land Policy Research Program to one or more overseas institutions specializing in land tenure and land policy, such as the Land Tenure Center, University of Wisconsin-Madison. Such links can provide opportunities for training, information on the experience of other countries, contacts with other international centers of specialized expertise, and research collaboration.

We offer these suggestions as a very modest start toward rebuilding Ethiopia's capability to work on land tenure and land policy issues.

3.5 NEXT STEPS

3.5.1 MAJOR POLICY SEMINAR ON RURAL LAND TENURE

We propose a three-day policy seminar, which would shift the discussion of these issues onto the level of senior policymakers and initiate a dialogue with donor organizations. Technical experts and researchers such as those invited to the August 1993 and May 1994 workshops would participate and help assess the importance and urgency of these issues. This report would be one of the documents presented at the seminar, but there should be other presentations as well, and experts from other countries to review their different national experiences with tenure policy over the last two decades. The seminar might best be held away from Addis Ababa, possibly in the facilities of the Management Training Centre at Debra Zeit.

3.5.2 URGENT SHORT-TERM STUDIES

There are a number of studies which can be done in the short term and which we view as urgent. The studies would deal with issues and areas of the country not adequately treated in this assessment. We are thinking in terms of one-month studies, and we propose that their design go forward immediately.

Tenure issues in pastoralist areas. This assessment is focused primarily on agricultural land tenure, and it was realized from the outset that special issues posed by pastoralist land use could not be seriously explored. There is a unique opportunity to begin to come to grips with these issues in a policy context of regional governments whose constituency is composed primarily of pastoralists. The study might be carried out in the Awash Valley.

Tenure issues in urban and peri-urban areas. State ownership of most urban housing and its provision to urban dwellers at less than market value has led to deterioration of the housing stock and to illegal but extensive subletting. Salaries have come to reflect an assumption that housing is available at less than real value, and this will complicate returning to housing prices which permit adequate maintenance and replacement. In addition, the loosening of a pent-up demand for housing and a surge of new construction is creating competition for land on the urban fringe. Such competition for land rapidly corrupts administrative systems for rationing land. We heard a number of reports of "land-grabbing" on the urban fringe of both large and small towns. The study could be carried out in and around Addis Ababa and a smaller town nearby.

Tenure and commercialization issues. The anticipated impact of tenure arrangements on increased production for the market is a critical consideration in the design of tenure policies. Our assessment visits, especially in the south, revealed that there are interesting and sometimes surprising strategies being pursued by farmers to intensify production and apply new technologies, including innovative contractual relationships concerning land. A two-site study of these issues is proposed, one in a highly commercialized area such as Ada *woreda* and another in a less commercialized area.

Tenure and gender. There has been a remarkable lack of rigorous treatment of women's roles and rights in land under the earlier reforms, and an equally remarkable lack of Ethiopian women researchers well versed in these issues. There is a need for a prototype study which carefully explores the experience and attitudes in one locality. It would need to focus on access during marriage, by widows and divorcees, and through inheritance and transactions. This study might be conducted in a mixed-farming area in the north.

3.5.3 SEMINAR AND RRA TRAINING ON TENURE AND NATURAL RESOURCE MANAGEMENT

We have mentioned the need for training, and the challenge of building an effective network on tenure issues among those in the concerned ministries, the regional governments, and the university. To help meet those needs, we are proposing a one-month seminar and rapid rural appraisal (RRA) training exercise, specifically focused on the management of natural resources by local communities. Participants would come from government departments, the regions, and the university. The exercise would familiarize government staff working on land tenure issues with a new research approach and take them through an appraisal. This would be a powerful tool for network building. LTC has done similar programs in Senegal and the Gambia with very positive results, and Professor Hoben has

organized a similarly successful exercise in Tanzania. LTC also will hold a one-month training program on "Tenure Issues in Natural Resource Management in Africa," in Madison in September–October 1994.

3.5.4 LONGER-TERM RESEARCH PRIORITIES

There are four areas which we see as priorities for longer-term research programs of a year to two years in duration. This time is a requirement of the research (e.g., because of seasonal variation) or because research in several areas of the country may be needed. Others may wish to add to this list of issues requiring sustained attention, but it is important that we establish clear priorities rather than simply listing large numbers of information needs.

Forests, reserves, and parks. We heard of alarming incursions into these resources. There is an urgent need to find out whether existing tenure arrangements are contributing to pressure on those resources and to explore the potential for reducing the pressure by creating rights for local people in the resources, rights which give them an interest in conservation or sustainable use. The RRA methodology is an effective tool in these situations. Appraisals of the situation of several locales will be needed, but we have been told that there is a particularly urgent need in Bale and in Gemu Gofa.

Land rental markets and the structure of landholdings. There is concern with the uniform smallness of agricultural holdings, and whether significant production increases are possible within such a structure of holdings. There are also suggestions that fragmentation of holdings is creating serious inefficiencies. Research can provide the answer to these questions, and there is a need to study carefully the consequences of current landholding patterns. Land markets are the way in which market economies seek to achieve an efficient structure of landholdings, and there is in fact a vital leasing and lending market in many areas of Ethiopia. The study of that market will be a major element of any study of agrarian structure. The topic would best be investigated through some combination of anthropological and economic approaches, the latter involving household survey research.

It is expected that ILCA's research project, "The Evolution and Impact of Land Tenure Institutions in Ethiopia" will address many of these issues. It is anticipated that this project will be carried out in collaboration with IDR at Addis Ababa University, LTC at University of Wisconsin–Madison, and African Studies Center at Boston University.

Community resource management. While a way must be found out of the trap of unending reallocations of farmland, communities will need to continue to make decisions about the use of their land and how rules about access will create incentives for sound land use. The potential of technologies such as agroforestry will need to be assessed and, to the extent they are viable, fitted into the landscape of the local community. There will be particular areas, such as pasture and forest, which are often not readily divisible among households. The continuing active role of local communities in land management is a positive trend, and it is important that it not be replaced by a more bureaucratized system. We have very imperfect knowledge of the way in which communities are managing their resources,

and there is an urgent need to study their experience for lessons as to what works and does not work in Ethiopia's circumstances. Such study could most usefully employ RRA as a first stage, but would also require longer-term anthropological and economic research, including study of dispute-settlement mechanisms.

Central, regional, and local government roles in making and implementing land policy. Decentralized land policymaking is innovative, and it should be seen as an experiment requiring careful study and consideration. It is unlikely to be uniform in practice from region to region, and the different experiences need to be studied for lessons. They cannot be studied in the abstract, and three areas seem promising as ground over which to observe the play of decentralization: property rights of ethnic minorities, allocation of land for commercial farming, and allocation of land on urban fringes. Outcomes in these policy areas need to be related to interactions between regional ministries and central government and the sources of funding for the design and implementation of land policies. Sustained study over a number of years will be needed, with important inputs from experts in political science, public administration, and local government finance.

APPENDIX 1

AFRICA'S EXPERIENCE WITH TENURE REFORM: 1960-1993³

Africa's experience with land tenure reform, though diverse, offers lessons that should be borne in mind when examining land tenure issues in Ethiopia. These make it clear that there is no magic-bullet solution to tenure problems, no set of reform measures that will, in itself, automatically result in higher agricultural production or set in motion processes of sustainable development. It is evident from the brief review that follows that land reform in sub-Saharan Africa has not been very successful in achieving its goals. In part this has been because reforms have been based on misconceptions about customary tenure, its form, function and meaning for African small holders. In part it is because planners have overestimated the capacity of African governments to allocate and administer land impartially and effectively.

In the period following independence, most of the new nations attempted reforms of their land tenure systems. These were, with a few exceptions, not redistributive reforms. Although the distribution of land in African societies was not strictly egalitarian, it was not characterized by the dramatic inequalities which seemed to demand revolutionary solutions. Ethiopia was of course an exception. But most African countries enunciated the need for tenure change as a need to provide their farmers with a tenure system which facilitated increases in productivity.

The questions typically asked included whether existing tenure provided the security of expectation necessary for long-term investment; whether the absence of western-style land markets prevented better farmers from getting access to land to expand their operations, tying up land in less productive hands; and whether difficulties in mortgaging land made it difficult for farmers to gain access to credit. There were also concerns about the possible growth of landlessness and concentration of land in a few hands by land markets as development proceeded.

This first generation of reforms focused upon productivity objectives, tended to measure success almost exclusively in terms of increased productivity per hectare, and thus concentrated on tenure in farmland. Tenure in other resources was hardly discussed. The reforms can for the most part be characterized as "replacement" reforms, which sought to replace existing customary systems. Where colonialism had left a dual system of western and indigenous land tenure, the reforms often attempted to unify the land tenure system. A new national elite coming to power at independence saw tenure reform as a part of nation building. Their reforms were centralizing in concept, seeking to replace community-based tenure systems with systems grounded in national legislation. This was common ground for governments which were otherwise at opposite ends of the ideological spectrum.

Those making decisions today about tenure policy can benefit from the lessons of those reforms. On the whole, they were not very successful in terms of achieving their objectives, or even in terms of effective implementation. We can review this experience in terms of three reform models: individualization reforms, state leasehold reforms, and collectivization reforms.

3. This summary is from a longer article (Bruce 1993).

1.1 Individualization reforms

Kenya is our only example of a thoroughgoing individualization reform. In other countries, some private individual ownership had been introduced, but this had usually been for urban land and for very small or modest amounts of rural land (Senegal is an example) or for white settler farmers (South Africa, Zambia, Zimbabwe, etc.). Some other countries have converted peasant holdings to individual ownership in specific localities, such as the Sudan, Uganda and more recently Malawi, but Kenya is the classic example of nationwide conversion of peasant holdings to individual ownership.

In Kenya, customary landholdings were systematically surveyed and the titles converted to and registered as individual titles. Implementation was given high priority by government, and most good agricultural land in the country has now been registered. Consolidation of fragmented holdings was a part of the program in its early stages, but dropped as a element when their seemed little popular enthusiasm for it. The program coincided with a major increase in production in the smallholder sector, but it is difficult to say to what extent the increase was due to tenure reform or, alternatively, to other important changes at the time, such as new credit access for Africans and the lifting of bars to cultivation of certain export crops by African farmers. But the package of reforms, tenure and nontenure, appeared to work.

As time has gone on, problems have become apparent. First, it seems that the land market may not be allocating land to the most efficient producers. Those working outside agriculture have much more ready access to capital, and many purchases appear to have been made with remittances, not for immediate productive purposes but for use by the next generation. Second, while the land market does not appear to be creating major concentrations of ownership of rural land, desperation sales by peasants are creating landlessness. It is not clear, however, how far their ability to sell their land hastened their departure from the agricultural sector. They could in any case have been squeezed out by land pressure, so that the sales did not cause, but only provided the mechanism for their departure. A growth in landlessness has also been noted in countries which do not have land markets.

Other problems have appeared. The asserted benefits of individualization, such as improved access to credit through mortgageability, appear to materialize only in the case of larger farmers. Individualization, it is now clear, wiped out not only the rights of communities but those of wives and children in the holdings of their husbands, opening the way for alienation by the head of household. Customary values regarding land survive and clash with the values of individual ownership, so that a fall in the number of land disputes immediately after registration was followed by very high levels of land disputes, many within families, after ten or fifteen years. There is a widespread failure to register inheritances and transactions to avoid fees and limits on minimum size of holdings. The registers are rapidly ceasing to accurately represent the facts of landholding.

While strong advocates of the Kenyan approach still exist, even some advocates of individualization question whether such a comprehensive and systematic approach to individualization is cost effective. An alternative approach is individualization on a selective basis, at the request and at the expense of the landholder. The problem with this approach is that when neighbors' rights are not being adjudicated at the same time, the registered party often takes advantage of the process to expand his holding at their expense. Another alternative is an evolutionary approach which seeks to promote the development of stronger individual rights within

customary tenure systems and sees the appropriate role for registration as the consolidation of an evolutionary process rather than a reform tool.

1.2 STATE LEASEHOLD REFORMS

Most African states hesitated to embark about the Kenyan path, and many have rejected private ownership of land, declaring land a State-owned resource. Some of these have continued to rely primarily on peasant agriculture, but have sought to eliminate community rights and constitute a direct tenancy relationship between the state, as landowner/lessor, and individual farmers as cultivator/lessee. This tenure model has sometimes been used expressly for particular farming sectors, for instance for resettlement of land reform beneficiaries (Zimbabwe, Zambia, Tanzania), or as a tenure for irrigated or large-scale rain-fed commercial farming operations (the Sudan, Somalia, Zimbabwe, Zambia) or commercial ranching operations (Uganda, Botswana) carved out of the indigenous tenure sector.

The intention has sometimes been more ambitious: to replace all indigenous tenure with rights under national legislation (Nigeria, Senegal), but this has usually not been possible due to the high costs of creating a new land administration bureaucracy. With the exception of Senegal, actual implementation has tended to focus on the same farming sectors mentioned earlier.

Because leasehold can, depending on how the lease is framed, confer either very weak or very strong rights, it is hard to generalize about the experience with state leasehold tenure. But four general points can be made. First, development conditions imposed on lessees have usually been badly monitored or not monitored at all, so have undermined tenure security without serving any useful purpose. In one-party states, they have been used to take land from political opponents of the party in power. Second, rentals on leases have been nominal, and so officials have been allocating a valuable good almost for free. This is a situation which invites corruption of the allocating officials, and in fact corruption in these systems has been pervasive. Third, bureaucratic and commercial elites have used the state's ownership and control of land to grab unintensively utilized land from local communities. This has been particularly acute where increased producer prices have revitalized agriculture, in extreme cases (Guinea Bissau) creating major concentrations of landholding. Fourth, if leasehold tenure is circumscribed by many conditions or subject to more than a nominal rent, local farmers will tend to prefer holding under the indigenous tenure system.

1.3 COLLECTIVIZATION AND STATE FARM REFORMS

A few of these countries experimented with state farms on a significant scale (Ghana, Mozambique, Ethiopia, Zimbabwe), though only in Mozambique was direct farming by the state the central development strategy. For state farming, state-owned land is simply administratively allocated to the state farm enterprise. It generally has not proved possible for these enterprises to realize the hoped-for economies of scale. In spite of their more "modern" farming equipment and practices, the state farms have obtained lower productivity per hectare and been less economically profitable than peasant farming. Although some individual state farms are profitable, overall they consistently generate losses for government, and have in some cases undermined the financial integrity of the state banking system (most dramatically in Mozambique). The number of state farms in Africa is declining and may be expected to continue to do so.

Other socialist states attempted to introduce cooperative farming into the peasant agricultural sector, where farm operations were very largely on a household basis, and in these cases it was complimented by a policy of villagization (Tanzania, Mozambique, Ethiopia). Cooperative farming has also been utilized, on a fairly minor scale, for resettlement of land reform beneficiaries (Zimbabwe). As in the case of state farms, results have been disappointing. Productivity on the cooperative farms has been low relative to that on household parcels. The programs have often been associated with compulsory resettlement, which has been resented and often awakened ethnic and other social hostilities. Finally, there is abundant evidence that African farmers simply did not like to farm collectively. This experience has encouraged a reexamination of assumptions about the "communal" nature of indigenous land-tenure systems, and analysts today place increasing emphasis on the strong, inheritable rights which Africans usually enjoyed in farmland under those systems.

There is considerable irony in this experience. Efficiencies of scale, which proved elusive, were the productivity argument for this model. Those efficiencies were to be achieved through mechanization, which of course conserves on labor. But the social argument for collective farming was that it would avoid a process of peasant differentiation which led to the growth of a class of landless poor. When collective farming operations attempted to support large, nonproductive labor forces, they became so unprofitable that they undermined the national banking systems which attempted to sustain them with loans.

No African government would today argue for cooperative production as a broadly viable strategy, though some cling to the notion that it may be an acceptable solution to specific problems.

1.4 DECENTRALIZATION REFORMS

A final class of cases involves Botswana and Senegal, which have created new local land administration institutions, which administer land under indigenous tenure rules, subject to certain statutory provisions. In Botswana, land was vested in several Tribal Land Boards, who hold it in trust for the tribe. These are elected, and considerable resources have been devoted to training and equipping them. They are responsible for both customary land allocations for farming and homes, and leases for commercial ranching, residential plots in towns, and commercial sites. In Senegal, all land is owned by the state, but *communautés rurales* have been created, and their elected councils are responsible for land allocations. They are much more numerous than the land boards in Botswana, and less well trained and supported. Both systems are nationwide, and both involve appeal and supervision systems tying the new local institutions to national ministries.

In both cases, the new institutions have been able to assume control of land allocations in towns and major villages. In Senegal, the new institution has not had the resources to take over farmland allocations except in limited areas of new land development. In Botswana, the boards have played an important role in the allocation of large commercial ranches, but have been much less effective in gaining control over use of communal grazing land or the allocation of arable land. In both cases, much land allocation is still carried out by traditional authorities, subject to appeals to the new institutions.

While these institutions have not done what was originally expected of them, the reality of what they have in fact done may represent the limit of effectiveness of state intervention in local

land tenure on a national basis, given resource constraints. They are increasingly seen as models for a state presence and impact of the development of local tenure systems, without the state trying to take over the administration of all land from existing local land administration institutions.

1.5 FROM REPLACEMENT TO ADAPTATION

The experience to date with tenure reform in sub-Saharan Africa has been problematic. Most often states have been unable to achieve their objectives, and reforms have often produced unanticipated problems. The installation of a nationally uniform, centrally administered land tenure system seems beyond the resources of most states. In many countries the attempt to legislate such a system has only created a great gap between law and practice. Half-failed attempts to replace local tenure systems have created legal uncertainties and insecurity far more debilitating for development efforts than the problems of indigenous land tenure systems. There is a broad consensus that farmland must be held under secure, inheritable tenure by individuals and households, whether under private ownership or under long-term leaseholds, but how to move in that direction more effectively and realistically than we have done in the past?

As we have reached a more realistic assessment of the limited potential of replacement-style reforms, we have also been reassessing the potential of local customary tenure systems:

1. It has been recognized that land is not simply a productive asset, but also a social security mechanism. It figures importantly in risk-avoidance strategies. Characteristics of those tenure systems, which seem dysfunctional in relation to the objective of increased productivity, can be important to survival strategies.
2. Insecurity of tenure may exist because of some unusual characteristic of a customary tenure system, and can also exist where the system and its enforceability have been undermined. But it cannot be thought of as a general characteristic of customary tenure systems.
3. These systems are not static. Studies have confirmed the tendency for indigenous farm tenure to evolve in the direction of individual ownership under market forces and growing population pressure. In light of this evolutionary process, it is questioned whether it is necessary to incur the costs involved in Kenya's forced march toward individual tenure.
4. There is a growing interest in decentralized land administration systems, including the very localized and community-based customary land tenure systems, in reaction to the failure of most states to create effective systems of national land administration.
5. On the other hand, these systems are sometimes flawed in ways which violate strong public policy. For example, most such systems provide little security for the women who are becoming more and more central to farming and farm management in Africa. In another examples, the governance arrangements for the system may be radically undemocratic, or the system may incorporate and sustain lord/serf relationships.

An "adaptation" paradigm may be called for, rather than the "replacement" paradigm utilized in the many reforms which sought to replace indigenous tenure with tenure models from abroad. It will be necessary to try to work with these incremental processes of change rather than to supersede them. Legislatively, this will require "framework laws," under which local communities would determine how their practices should change, within some statutory parameters. The process of change would be monitored and managed through local dispute-settlement mechanisms, with appeals into the national judicial system. Appellate and supervisory bodies such as those in Senegal and Botswana would be key elements in such an approach. With regard to farmland, local land-administration institutions would function not so much as land allocators as adjudicators of conflicting claims. Where a particular aspect of the tenure system seriously offended public policy, the solution would be legislation targeted on that problem.

1.6 THE OTHER TENURE REFORM: COMMON-PROPERTY RESOURCES

The interest in local solutions has been strengthened by a profound concern over sustainable use of forest and pasture resources. Early tenure reforms focused on agricultural land and ignored these resources, but now the priorities have shifted radically. These resources are often utilized as commons and are sometimes not readily susceptible to individualization. Both the individualizing reforms and reforms which vested land ownership in the state have tended to undermine community land-management institutions, leaving a vacuum in social control of natural resource use. Sometimes, no real controls were in place. There is a strong sense that the national state has failed to fill this gap effectively in the years since independence, and a growing doubt that it will be able to do so in the near future.

Local solutions may be most promising, and this realization has prompted urgent interest ideas about group ownership and management of resources, spawning a vast literature on common property. The Asian experience has been positive. There are a few successful instances from Africa, though in Africa national programs along these lines are still at a preliminary stage. One critical issue is how to create or revitalize a local institutional capacity to manage natural resources. This is the discussion in a "property" idiom, but a parallel development has taken place in public administration. Pressure for decentralization of government includes vesting the state's legal authority over land in local communities, as under the *gestion de terroir villageois* model now current in francophone Africa.

Today, much of the discussion about the future of land tenure in Africa is focused around institutional issues at the local level, both as regards a viable framework for evolution of individual tenure in farmland and as regards management of commons and open shared resources.

APPENDIX 2

PEOPLE INTERVIEWED

Abdel Kadir Mohamed, Relief Society of Tigray, Makelle

Abhay Deshpande, Resident Representative, World Bank, Addis Ababa

Alemnesh Urga, Women's Extension, Coffee Extension Department, Ministry of State Farms, Coffee and Tea, Jimma

Asefa Wolde Michael, Ministry of Natural Resources, Development, and Environmental Protection, Asela

Dr. Asres Workeneh, Head, Agricultural Development Department, Ministry of Planning and Economic Development

"Bashai" Yemane Tekle-Haimanot, *woreda* official, Hawzien

Dr. Marco Bassi, SNV (Netherlands Development Organization), Ethiopia

Berhane Hailu, head, Bureau of Agriculture, Makelle

Tony Breuer, Counsellor (Development), Canadian Embassy Development Cooperation Office, Addis Ababa

Irene Campbell, Oxford University

Daniel Cartledge, Department of Anthropology and African Studies Center, University of Florida

Dawit Yohannes, Member of the Council of Representatives of the Transitional Government of Ethiopia

Dr. Duri Mohammed, Minister, Ministry of Planning & Economic Development

Dr. Ermias Bekele, National Coordinator, Ethiopian Forestry Action Program

Dr. Fecadu Gadamu, Vice-Chairman, Council of Representatives

Getu Mamo, Managing Director, Coffee and Tea Development, Agaro

Gizachew Abegaz Abebe, Expert, Land Use Planning and Regulation Department, Ministry of Natural Resources, Development, and Environmental Protection

Hadis Mulugeta Dr., Head of Regional Planning Department, Ministry of Planning and Economic Development

Hassan Ali, President of Oromia

Dr. Karl Herweg, Soil Conservation Research Project, Ministry of Natural Resources, Development, and Environmental Protection

Kebbede Tatu, Soil Conservation Unit, Ministry of Natural Resources, Development, and Environmental Protection

"Keshi" Etay Gebre-Egziabhier, deputy *woreda* head, Hawzien

Kidane Asefa, head, Bureau of Natural Resources, Makelle

Kidane-Mariam Aleme, former deputy *woreda* governor, Hawzien

Kifle Wodajo, Chairman, Constitutional Commission

Mahteme Solomon, Minister of Justice

Makonnen Welde-Simon, deputy *woreda* head, Wukro (Axum)

Mengistu Negash, Head of Land Use Planning and Regulatory Department, Ministry of Natural Resources, Development, and Environmental Protection

Million Mandefro, Coffee Extension, Illubabor

Mohammed Salim, International Livestock Center for Africa, Addis Ababa

Negussie Abai, *woreda* secretary, Addi Shehu

Richard Olson, First Secretary, US Embassy, Addis Ababa

Dr. Pankhurst, Alula, Chairman, Department of Sociology and Anthropology

Regassa Kumssa, Manager, Illubabor

Samuel Sulltan, Special Advisor to the Minister, Ministry for External Economic Cooperation

Dr. Stephen Sanford, Leader, Farmers Research Project, Farm Africa, Ethiopia

Dr. Charles Schaefer, Department of History, Addis Ababa University

Daag Skoog, First Secretary, Swedish Embassy Development Cooperation Office

Dr. Peter Sutcliffe, Senior Technical Advisor (IUCN), National Conservation Strategy Secretariat, Office of National Committee for Central Planning

Teferi Abate, Lecturer, Department of Sociology and Anthropology, Addis Ababa University

Tegenu Yifru, Head, Horticulture Development Department, Ministry of State Farms, Coffee and Tea

Tesfai Hagos, deputy head, Bureau of Agriculture, Makelle

Tessema Chekan, Senior Soil and Water Conservation Expert, Ministry of State Farms, Coffee and Tea

Welai Gebre-Manta, head, Tselim-Haramat Baito, Hawzien

Yared Amare, Boston University

Yiheyis Taddele, member of Regional Executive Committee responsible for the Agricultural Bureau, Makelle

Zegeye Asfaw, Consultant

Zemichael Gebremedhin, member of Regional Executive Committee, and head of Regional Economic Development Committee, Makelle

Zeru Asefa, *woreda* secretary, Wukro (Axum)

REFERENCES

- Abdel Ghaffar, Alula Pankhurst, and Fecadu Gadamu. 1993. "Alarm Network Activities in Ethiopia." Research proposal.
- Alula Abate, and Tesfaye Teklu. 1980. "Land Reform and Peasant Associations in Ethiopia—Case Studies of Two Widely Differing Regions." *Northeast African Studies* 2(2): 1-51.
- Aspen, Harald. 1993. "Interdependence among Peasant Households in Northern Shawa: A Case Study." Draft. Trondheim.
- Aster Akalu. 1982. *The Process of Land Nationalization in Ethiopia: Land Nationalization and the Peasants*. Lund: CWK Gleerup.
- Bauer, Dan F. 1975. "For Want of an Ox . . . : Land, Capital and Social Stratification in Tigre." In *Proceedings of the First United States Conference on Ethiopian Studies, 1973*, edited by Howard G. Marcus, pp. 235-247. East Lansing: Michigan State University Press, and Committee on Ethiopian Studies.
- Behnke, R.H., and I. Scoones. 1991. "Rethinking Range Ecology: Implications for Rangeland Management in Africa." ODI and IIED.
- Berkes, Fikret, ed. 1989. *Common Property Resources, Ecology and Community-Based Sustainable Development*. London: Belhaven Press.
- Berry, Albert R., and William F. Cline. 1979. *Agrarian Structure and Productivity in Developing Countries*. Baltimore: Johns Hopkins University Press.
- Besteman, Catherine. 1990. "Land Tenure in the Middle Jubba Valley, Somalia: Customary Tenure and the Effect of Land Registration." LTC Research Paper, no. 104. Madison: Land Tenure Center, University of Wisconsin.
- Binswanger, Hans P., Klaus Deininger, and Gershon Feder. 1993. "Power, Distortions, Revolt and Reform in Agricultural Land Relations." Policy Research Working Paper, no. 1164. Washington, D.C.: World Bank.
- Bromley, Daniel W., ed. 1992. *Making the Commons Work: Theory, Practice, and Policy*. San Francisco: Institute for Contemporary Studies Press.
- Bruce, John W. 1976. "Land Reform and Indigenous Communal Tenures: The Case of Chiguraf-Gwoses in Tigray, Ethiopia." SJD dissertation, Law, University of Wisconsin-Madison.

- Bruce, John W. 1975. "Ethiopia: Nationalization of Rural Lands Proclamation." *Land Tenure Center Newsletter*, no. 47, January–March, pp. 1–15.
- Bruce, John W. 1993. "The Variety of Reform: A Review of the Recent Experience with Land Reform and the Reform of Land Tenure, with Particular Reference to the African Experience." In *Institutional Issues in Natural Resources Management*, edited by Henrik Secher Marcussen. Roskilde, Denmark: International Development Studies, Roskilde University.
- Bruce, John W., and Louise Fortmann. 1992. "Property and Forestry." In *Emerging Issues in Forestry Policy*, edited by Peter M. Nemetz, pp. 471–496. Vancouver: University of British Columbia Press.
- Bruce, John W., and Christopher Tanner. 1993. "Structural Adjustment, Land Concentration and Common Property." In *Institutional Issues in Natural Resources Management*, edited by Henrik Secher Marcussen. Roskilde, Denmark: International Development Studies, Roskilde University.
- Bruce, John W., and Shem Migot-Adholla, eds. 1994. *Searching for Land Tenure Security in Africa*. Washington, D.C.: Kendall–Hunt.
- Cohen, John M. 1975. "Effects of Green Revolution Strategies on Tenants and Small-Scale Landowners in the Chilalo Region of Ethiopia." *Journal of Developing Areas* 9(4): 335–358.
- Cohen, John M., and Peter H. Koehn. 1977. "Rural and Urban Land Reform in Ethiopia." *African Law Studies* 14: 3–61.
- Cohen, John M., and Ingvar Jonsson. 1987. "The Size of Peasant Association Holdings and Government Policies: Questions Raised by Recent Research in Arssi Region, Ethiopia." *Northeast African Studies* 9(1): 97–103.
- Coldham, F.R. 1979. "Land Tenure Reform in Kenya: The Limits of Law." *Journal of Modern African Studies* 17: 615–627.
- CRDA. 1990. Community forestry development workshop, held in Addis Ababa.
- Dessalegn Rahmato. 1984. *Agrarian Reform in Ethiopia*. Uppsala: Scandinavian Institute of African Studies.
- Dessalegn Rahmato. 1989. "Rural Resettlement in Post-Revolution Ethiopia." Paper prepared for Conference on Population Issues in Ethiopia's Development, Addis Ababa, Ethiopia, July 1989.
- Dessalegn Rahmato. 1993. "Land, Peasants and the Drive for Collectivization in Ethiopia." In *Land in African Agrarian Systems*, edited by T. Bassett and D. Crummey, pp. 274–297. Madison: University of Wisconsin Press.

- Dickerman, Carol W. et al. 1989. "Security of Tenure and Land Registration in Africa: Literature Review and Synthesis." LTC Paper, no. 137. Madison: Land Tenure Center, University of Wisconsin.
- Ethiopia, Transitional Government of. 1991. *Ethiopia: Economic Policy during the Transitional Period* / (an official translation). Addis Ababa: Transitional Government of Ethiopia.
- Fassil Gebre-Kiros. 1980. "Agricultural Land Fragmentation: A Problem of Land Distribution Observed in Some Ethiopian Peasant Associations." *Ethiopia Journal of Development Research* 4(2): 1-14.
- Freudenberger, Mark Schoonmaker. 1993. "Land Tenure, Local Institutions and Natural Resources in Senegal." Madison: Land Tenure Center, University of Wisconsin.
- Hardin, Garrett. 1968. "The Tragedy of the Commons." *Science*, vol. 162, pp. 1243-1248.
- Haugerude, Angelique. 1983. "The Consequences of Land Tenure Reform among the Smallholders in the Kenyan Highlands." *Rural Africana* 15/16: 65-89.
- Haugerude, Angelique. 1989. "Land Tenure and Agrarian Changes in Kenya." *Africa* 59(1): 62-90.
- Herweg, Karl. 1993. "Problems of Acceptance and Adaptation of Soil Conservation in Ethiopia." Addis Ababa: Soil Conservation Research Project.
- Hoben, Allan. 1973. *Land Tenure among the Amhara of Ethiopia: The Dynamics of Cognatic Descent*. Chicago: University of Chicago Press.
- Hoben, Allan. 1975. "Perspectives on Land Reform in Ethiopia: The Political Role of the Peasantry." *Rural Africana* 28: 55-69.
- Hoben, Allan. 1988. "The Political Economy of Land Tenure in Somalia." In *Land and Society in Contemporary Africa*, edited by R.E. Downs and S.P. Reyna. Hanover, N.H.: University of New England Press.
- Hogg, Richard. 1993. "Government Policy and Pastoralism: Some Critical Issues." Paper presented at Conference on Pastoralism in Ethiopia, 4-6 February 1993.
- Inter-Africa Group. 1992. *Final Report of the Symposium on the Rehabilitation of the Ethiopian Economy, 15-18 January 1992*. Addis Ababa: Inter-Africa Group.
- Johnston, Bruce F., and Peter Kilby. 1975. *Agriculture and Structural Transformation: Economic Strategies in Late-Developing Countries*. Baltimore: Johns Hopkins University Press.
- Kidane Mengisteab. 1991. *Ethiopia: Failure of Land Reform and Agricultural Crisis*. New York: Greenwood Press.
- King, Russell, and Steve Burton. 1982. "Land Fragmentation: Notes on a Fundamental Rural Spatial Problem." *Progress in Human Geography* 6(4): 475-495.

- Levi, J., and M. Havinden. 1982. *Economics of African Agriculture*. Harlowe, Essex: Longmans.
- McCay, Bonnie M., and James M. Acheson, eds. 1987. *The Question of the Commons: The Culture and Ecology of Communal Resources*. Tucson: University of Arizona Press.
- Mengistu Wouke. 1986. *Problems of Land Reform Implementation in Rural Ethiopia: Case Study of Dejen and Wolmera Districts*. Geografiska Regionstudier, no. 16. Uppsala: Uppsala University.
- Migot-Adholla, Shem, Peter Hazel, Benoit Blarel, and Frank Place. 1991. "Indigenous Land Rights Systems in Subsaharan Africa: A Constraint to Productivity?" *World Bank Economics Review* 5(1): 155-175.
- Okoth-Ogendo, H.W.O. 1986. "The Perils of Land Reform: The Case of Kenya." In *Land Policy and Agriculture in Eastern and Southern Africa*, edited by J. Arntzen, L. Ngongco, and S. Turner, pp. 79-92. Tokyo: United Nations University.
- Ostrum, Elinor. 1986. "Issues of Definition and Theory: Some Conclusions and Hypotheses." In *Proceedings of the Conference on Common Property Resource Management*. pp. 599-615. Washington, D.C.: National Academy Press.
- Ostrum, Elinor. 1990. *Governing the Commons: The Evolution of Institutions for Collective Action*. Cambridge: Cambridge University Press.
- Pausewang, Siegfried. 1990. *Ethiopia: Options on Rural Development*. London.
- Poluha, Eva. 1989. "Risks, Trees and Security: A Baseline Study of Beddedo, a Peasant Association in Wollo, Ethiopia." Working paper, no. 111. Uppsala: Swedish University of Agricultural Sciences, International Rural Development Centre.
- Rose, Laurel. 1992. *The Politics of Harmony: Land Dispute Strategies in Swaziland*. Cambridge: Cambridge University Press.
- Roth, Michael. 1993. "Somalia Land Policies and Tenure Impacts: The Case of the Lower Shabelle." In *Land in African Agrarian Systems*, edited by Thomas J. Bassett and Ronald E. Crummey, pp. 298-325. Madison: University of Wisconsin Press.
- Shipton, Parker. 1988. "The Kenyan Land Tenure Reforms: Misunderstandings in the Public Creation of Private Property." In *Land and Society in Contemporary Africa*, edited by R.E. Downs and S.P. Reyna, pp. 91-135. Hanover, N.H.: University of New England Press.
- Singer, Norman J. 1989. "Land Use Policy and Draft Legislation on Ethiopia." UNDP/FAO/ETH 87/006. Addis Ababa.
- Stahl, Michael. 1977. *New Seeds in Old Soil: A Study of the Land Reform Process in Western Wollega, Ethiopia, 1975-76*. Research Report, no. 40. Uppsala: Scandinavian Institute of African Studies.

- Stahl, Michael. 1990. *Constraints to Environmental Rehabilitation through People's Participation in the Northern Ethiopian Highlands*. Geneva: United Nations Research Institute for Social Development.
- Teferi Abate. 1992a. "Land, Capital and Labour in the Social Organization of Peasants: A Study of Village-Level Dynamics in Southwestern Wollo, 1974-1992." Master's thesis proposal, Addis Ababa University, School of Graduate Studies.
- Teferi Abate. 1992b. "Report on my First-Round Field Work, 14 December 1992." N.p.
- Teferi Abate. 1993. "Land, Capital and Labour in the Social Organization of Peasants: A Study of Village-Level Dynamics in Southwestern Wollo, 1974-1993." Master's thesis, School of Graduate Studies, Addis Ababa University.
- Tekeste Agazi. c. 1983. "Agrarian Reform in Tigray: A Case of the Land Reform in the District of Adi-Nebried." Occasional Papers on Tigray, no. 1. United Kingdom: Friends of Tigray in the UK.
- Yared Amare. 1993. "Aspects of Household Food Security in Wogda, Northern Shoa." N.p.